CONSULTATIONS

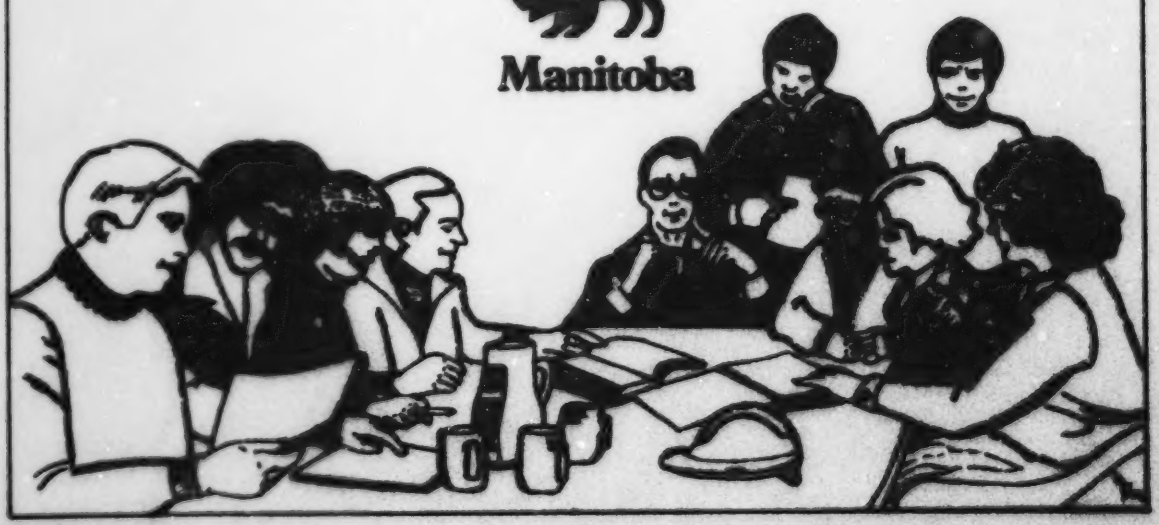
SEPTEMBER 1983

Department of

ENVIRONMENT and WORKPLACE

SAFETY and HEALTH

Manitoba



DEPARTMENT OF

ENVIRONMENT AND WORKPLACE

SAFETY AND HEALTH

CONSULTATIONS

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1. CONSULTATIONS - SEPTEMBER, 1983

Introduction

The Department of Environment and Workplace Safety and Health was officially created on April 1, 1983. Long before that however, its two divisions were in operation, responding to issues and problems related to Manitoba's working and outdoor environments.

Responding to pressing situations and immediate crises, however, is not enough - more is needed. Preventing future problems is now a priority on the Department's agenda. A major part of the prevention strategy includes revising existing and developing new legislation. Consultations with special interest groups (eg. labour organizations, employee groups, technical and professional associations and special interest groups) and the general public are an essential part of the public education and feedback process.

General discussions of departmental priorities and work are also important. Shortly before the Department officially came into existance, the Minister, Jay Cowan, and senior staff held several general discussion meetings with representatives from a variety of groups. Comments from those February, 1983 sessions are summarized in Table 1 on page 3.

The September consultations

Other general discussions took place in September when representatives from a variety of organizations were invited to meet the Minister and senior Department staff. The meetings were designed to provide the organizations with information about current and future activities, and give them the opportunity to comment on departmental priorities for the coming year.

The meetings took place between September 13 and 27. Each meeting was hosted by Mr. Cowan. Also in attendance was Deputy Minister Tom Owen and staff members from each Division. Each session took place at the W. M. Ward Technical Services Laboratory, except for one, which was held in the Minister's office.

The meetings, which were fairly informal, were all structured approximately the same way. Mr. Cowan started each meeting by outlining the new department's organization and budget and individual divisions' objectives, long-term concerns and priorities. The emphasis on specific priorities, programs and up-coming legislation or regulations depended on the interests of people attending the meeting. The Minister's presentation was followed by a general discussion.

Table 1

SPECIFIC CONCERNS ABOUT THE NEW DEPARTMENT - FEBRUARY 1983 CONSULTATIONS

Concern	Current Situation	Projected Situation	Interest Group
Workplace Safety & Health may be lost in new department.	Major organizational unit of the department. Its legislation is totally separate.	Will continue to be a major factor of the department and legislation will remain separate.	Labour
Councils and boards have their own budget.	No change. Manitoba Environmental Council has own budget.	Under review.	Boards and Councils
With the economic climate, is this a time to start a new department?	No extra budget has been required to date.	No additional costs anticipated related to new department.	Employer groups and others
Department priorities with respect to the laboratory are needed.	Liaison groups established within department.	Organized review of lab by technically and administratively qualified persons.	Interest group
A planning group is needed.	Planning staff hired within divisions.	A co-ordinating function to be established.	All
Mines Inspector transfer.	Discussions taking place with the Department of Energy and Mines and staff.	Should be resolved this fiscal year.	Labour/Employer groups
Establish an Environmental Assessment Review Board	No action.		Interest group
Establish a pesticides section, separate from Agriculture.	No action	Due to budget contraints new thrusts like these to be considered at a later date.	

The Minister's presentation

In his opening remarks, Mr. Cowan said the Department was set up officially in April without internal changes in the two major divisions, but substantial re-organization is now needed. This will be done during the next few months with several goals in mind, including streamlining management.

The Department's budget for the next fiscal year will either remain at the current level, or it will be reduced, Mr. Cowan told people at the meetings. The government faces difficult financial times, he said, but this does not mean that more things cannot be done, just that trade-offs must be found.

The Hazardous and Special Waste Management Program is high on the priority list for the Environmental Management Division. In the Workplace Safety and Health Division, the list includes making the public more aware of health and safety at work, through the Amended Act (Bill 87) as well as implementation of the Workplace Health Regulation and other new WSHD regulations. Reducing the backlog at the Workers Advisor Office and amending the Workers Compensation Act are also important; the WCB is currently reviewing its claims criteria.

Mr. Cowan told participants he hoped these general consultation meetings would take place annually. He also promised each participant a booklet which included materials used in his presentation and a summation of the proceedings.

Organization of the booklet

This booklet contains material presented at the September meetings, information promised (ie. the budget) and a record of the question and answer sessions. To provide more information,

and to clarify some points, overheads used at the meetings were edited and other material was added. Additions to the booklet, which were not presented at the sessions include a brief history of the new department, a follow-up list, a report about the evaluations and diagrams outlining the budget approval system.

This consultation booklet is divided into five main sections following this introduction. These sections deal with:

.historical background of the department
.departmental objectives
.long-term issues and priorities
.proceedings, concerns and responses
.the consultation process and future consultations

2. HISTORICAL BACKGROUND OF THE DEPARTMENT OF ENVIRONMENT AND WORKPLACE SAFETY AND HEALTH

Before 1935, pollution control concerns in Manitoba were dealt with under the Public Health Act. In 1935, The Prevention of Water Pollution Control Act was passed, which resulted in the appointment of the Provincial Sanitary Control Commission which operated for 33 years.

In 1968, when the need for more broadly-based environmental protection became evident, The Clean Environment Act was passed, providing legislation to control the pollution of provincial air, land and water. The Act created the Clean Environment Commission which became part of Department of Health. Following amendments to the Act in 1970, the Commission reported to the Minister of Mines, Resources and Environmental Management. Presently the Clean Environment Commission reports to the Minister of Environment and Workplace Safety and Health.

On April 1, 1971 the Environmental Sanitation Section of the Department of Health and Social Development was transferred to Mines, Resources and Environmental Management to create the Environmental Protection Branch. Using specialists from several disciplines, a Research Branch was set up to provide information, principles and recommendations to the solution of defined problems in resources and environmental management.

In 1971, the need for focused public input into environmental concerns was identified and the Manitoba Environmental Council was created. As an advisory body it does not act directly, but identifies environmental problems in Manitoba, discusses priorities and advises the Minister.

Nineteen Seventy Five was a significant year for environmental concerns in Manitoba, as several new branches were created within the Department of Mines, Resources and Environmental Management. They were:

- the Environment Assessment and Review Process (E.A.R.P).
- Environmental Studies
- Program Development and Review
- Inspection Services
- Technical Services
- Enforcement Development

In addition, the Environmental Control Branch was formed with seven sections, to develop and enforce regulations pertaining to registrations, standards, procedures and monitoring.

In parallel to interest in the outdoor environment, concern about the health and safety of provincial workplaces was also growing. Long-term occupational health problems (eg. lung cancer from asbestos) made newspaper headlines and employers and employees were asking more questions about the effects of exposure to substances used in their work. People realized that safety issues continued to be important, but preventing job-related ill-health was also a key concern. This was recognized when the Workplace Safety and Health Act was presented in the Legislature in 1976.

Before proclamation of the Act in 1977, functions envisioned under the Act were carried out by existing departments and agencies, such as the Workers Compensation Board, Environmental Management, Labour, and Occupational Health (with the Health Department). The Act set up a new division with an Executive Director, an Administration Section, an Education Research

Branch, a Health and Safety Branch and an Occupational Medicine and Industrial Hygiene Branch. The original fire prevention function remained with the Fire Commissioner's Office, except in specific areas covered by the Act. At this time, the Division functioned within the Department of Labour.

The legislation also called for establishment of an Advisory Council to make recommendations to the Minister about health and safety issues. The ten-member Council, including a chairperson, was set up when the Act came into force in the summer of 1977. It has three representatives each from labour, management and technical/professional organizations.

On November 15, 1979 the Environmental Management Division was transferred to the Department of Consumer and Corporate Affairs. A further internal re-organization process became effective in 1980 when programs responsible for protecting and improving the quality of Manitoba's air, water, soil and food were restructured under Environmental Management Services and Environmental Control Services. The Administration Section was in the Consumer and Corporate Affairs Division.

Two years later, in 1981, the Environmental Management Division and the Workplace Safety and Health Division were shifted to the Minister responsible for Northern Affairs, Environment and Workplace Safety and Health. The existing sections remained, and the Community Relations Branch was added. In September, 1982 a Worker Advisor program was established with offices in Winnipeg, Brandon, Flin Flon and Thompson. The principal purpose of this program is to provide assistance to any claimant whose claim has been rejected by the Workers Compensation Board or who may be having difficulty establishing a claim.

Responsibility for the Workers Compensation Board was also shifted to this Ministry at this time.

On April 1, 1983, the Department of Environment and Workplace Safety and Health was created. Branches and services remained essentially the same in the Environmental Management Division with the addition of the Pesticide Program Co-ordinator. In Workplace Safety and Health, there was little organizational change. (See Table 2 on page 10 for the current organization of the Department). At this time a Departmental Administration Branch was also established.

The combination of the Environment and the Workplace Safety and Health divisions is a first for any government in Canada. It emphasizes the fact that environmental concerns are equally important within and outside the workplace.

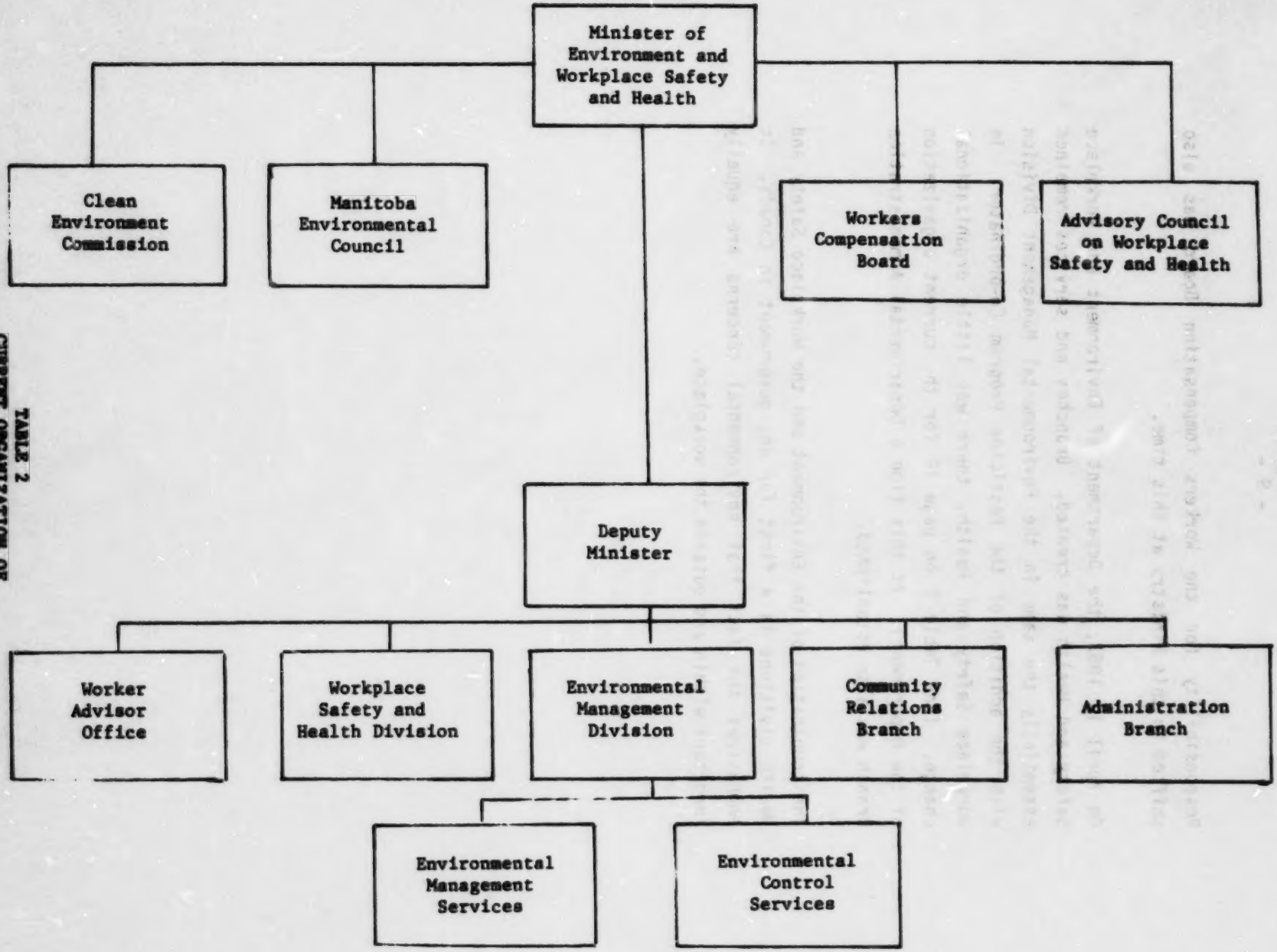


TABLE 2
CURRENT ORGANIZATION OF
THE DEPARTMENT OF ENVIRONMENT WORKPLACE SAFETY AND HEALTH

3. DEPARTMENTAL OBJECTIVES

The Department of Environment and Workplace Safety and Health is responsible for ensuring that the quality of Manitoba's indoor and outdoor environments are conducive to healthy and enjoyable living and working conditions.

To achieve this, the Department must ensure it has adequate legislation and the enforcement capability to maintain and improve provincial natural and workplace environments. These regulatory and enforcement activities are supported by extensive research and educational activities.

Departmental goals and objectives are:

1. to protect and promote the preservation of Manitoba's environment;

2. to enforce the Clean Environment Act, its regulations and relevant sections of the Public Health Act;

3. to protect and promote the health and safety of Manitoba workers;

4. to enforce the Workplace Safety and Health Act and its regulations;

5. to assist the province's injured workers to obtain workers compensation benefits to which they are entitled.

To accomplish these broad goals, the Department's operating divisions and support branches have their own priorities and plans. For the September meetings, each division prepared

information about its objectives, on-going concerns and priorities. The support branches, Community Relations, Administration as well as the Workers Compensation Board, an independent Board reports to the Minister also prepared material about their objectives.

Environmental Management Division

The objectives of this division are to:

1. ensure the maintenance of a healthy environment by administration and enforcement of the Clean Environment Act and its regulations;

2. administer and enforce the provisions of 24 regulations which come under the Public Health Act;

3. identify new environmental concerns and develop programs and strategies to meet them, with emphasis on finding alternative ways to achieve specific objectives, evaluating alternatives and post-implementation assessments;

4. assess the need for and develop legislation and regulations to minimize potentially adverse effects to the environment and environmental health;

5. minimize adverse effects to the environment and environmental health from the use, handling, storage, transportation, clean-up and disposal of hazardous materials, including pesticides;

6. co-ordinate and implement the Hazardous and Special Waste Management Program;

7. provide support for the Manitoba Environmental Assessment and Review Agency to identify potentially adverse environmental impacts of proposed projects;

8. conduct research and special studies, develop environmental quality standards and develop techniques to determine the environment's ability to assimilate specific pollutants; and

9. provide technical laboratory services to the Department, government agencies and the public.

Workplace Safety and Health Division

The Division's broad objective is to ensure that all provincial workplaces are healthy and safe environments for workers and employers. The Division is changing its emphasis from detection to prevention of accidents and job-related ill-health, while maintaining traditional inspection services. This transition will occur in several ways:

1. updating and improving the Workplace Safety and Health Act by amendments;

2. updating, improving and expanding regulations and codes of practice;

3. increasing the number of workplace safety and health committees, and providing them with more training so they will rely more on their own knowledge, and use the Division as a source of technical information;

4. increasing the scope of inspections done by industrial hygienists and inspectors.

Worker Advisor Office

The Office's objective is to assist workers who request help with their Workers Compensation Board claim.

Administration Branch

This support branch's objectives are to:

1. provide efficient and effective administrative support services to the Department's operating programs;

2. provide support and advice to the Minister and Deputy Minister;

3. liaise with various central agencies with respect to provincial policies and procedures; and

4. support the Department's public information profile by maintaining comprehensive library services.

Community Relations Branch

This branch's objectives are:

1. fostering increased public and news media awareness and appreciation for environmental and occupational health and safety concerns;

2. improving environmental and occupational health and safety education in Manitoba;

3. ensuring maximum public involvement and participation in departmental programs; and

4. providing a framework and support for effective external and internal communications for the Department.

Workers Compensation Board

The Workers Compensation Board is committed to the principle that the injured worker, by virtue of the Workers Compensation Act, has the right to support services provided by the Workers Compensation Board using funds provided by the employer. The Board further believes these services should be delivered in a way that is accountable to the injured worker, the employer and the community as a whole.

4. LONG-TERM ISSUES AND PRIORITIES

ENVIRONMENTAL MANAGEMENT DIVISION

The increasing number, use and complexity of chemicals found in the home is creating a parallel increase in the number and complexity of environmental and environmental/occupational health problems.

This situation has influenced the Division's priorities, which are: the Hazardous and Special Waste Management Program, other hazardous materials, acid rain, mercury in fish and radioactive well water. Hazardous waste and materials will continue to be a major priority until the risks associated with these goods are reduced to an acceptable level at each stage of their life, from manufacture to disposal.

Hazardous and Special Waste Management Program

The program announced in November 1982, consists of three phases which are designed to develop a comprehensive hazardous and special waste management system for Manitoba. Details about the kind of system and the specific facilities needed in the province are not yet established. They are the subject of an extensive public hearing and consultation process.

Part of the first phase is complete. A symposium about hazardous and special waste, held in March 1983, resulted in several recommendations to the provincial government. Legislation is another significant part of the program. The Dangerous Goods Handling Act was introduced in the Legislature as a discussion bill at the end of the last session. The Act is intended to provide for the management of hazardous wastes through all stages of their use, storage and disposal.

The rest of the first phase involves consultations with respect to the proposed legislation and Clean Environment Commission hearings. People attending the latter set of hearings will be asked questions about the kind of system needed in the province, who should run it, and the government's role in operating and regulating such a system. The legislation will also be passed and regulations presented and adopted.

Based on the criteria and needs identified in the first phase of the program, plans will be drawn up to implement the recommended system. The second phase also involves extensive public consultations by the Department's Hazardous and Special Waste Management Program staff as well as Clean Environment Commission hearings.

The final phase involves the establishment of the selected management system, again with public consultation and education.

Other hazardous material activities

(i) Land disposal sites - Identification and verification of active and inactive land disposal sites in the province is also under way. The three-part study is designed to find out about the nature and extent of problems associated with landfill sites in Manitoba. Possible solutions will also be investigated. Information collected from this study will also be used to draw up lists of the types of waste permitted in the different categories of disposal sites referred to in the proposed legislation.

(ii) Pesticide container disposal - A pilot project in

southern Manitoba was successfully completed this year. As a result, the Division provides technical assistance to municipalities which have their own programs to safely drain and crush used pesticide containers. The Division will provide collection drums and dispose of them when they are filled.

(iii) Mosquito control programs - The Clean Environment Commission recently recommended the Division use a permit system for mosquito control programs. This is being developed.

Acid rain

(i) monitoring - collection and analysis of precipitation;

(ii) surface water quality sampling in northern Manitoba;

(iii) snow monitoring;

(iv) provincial sensitivity mapping; and

(v) participation in national and inter-provincial technical committees.

Mercury in fish

The levels of pesticides and metals in fish have been monitored since 1978 as part of the Bio-monitoring Program. The recent "Mercury in Fish" reports helped to raise the level of public consciousness about this issue. An inter-departmental technical working group -- including representatives from EMD and the Departments of Health, Economic Development and Natural Resources -- is now

studying the presence of mercury in fish found in Manitoba waters. It will make recommendations for public notification programs. The Division is also participating in a four-year federal-provincial agreement addressing mercury problems in northern Manitoba.

Radioactive well water

Well water in the Lac du Bonnet area was recently found to contain excessive levels of ionizing radiation. The Department of Health recommended residents use another source of water for drinking and cooking. Further sampling results confirmed the initial findings and the owners were notified.

The Division is working with residents to find an alternate supply and will expand the testing area to determine how many other wells may be affected.

WORKPLACE SAFETY AND HEALTH DIVISION

Legislation and regulations

The Division's major priority is to change its emphasis from detecting unsafe and unhealthy working conditions to preventing these conditions. This prevention strategy can be accomplished by legislative and regulatory changes, education and public awareness of the issues.

A key aspect of the transition is legislation. Accordingly, amendments to the Workplace Safety and Health Act were passed in August, 1983. Among other things, they strengthen a worker's right-to-know and the right to refuse unsafe or unhealthy work. They make health and safety committees mandatory in a far greater number of workplaces

and also require committee members to receive two days training each year. These changes will be phased in during 1984.

Regulations and codes of practice are also being changed or developed to conform with the new strategy. The major ones are addressed to noise control and hearing conservation, asbestos, toxic substances and working alone.

The forthcoming Workplace Health Regulation is a high priority. It sets out a model for a health and safety program based on the right to know and the concept that job-related ill-health can be prevented. Workers and employers will be able to find out the contents of the materials with which they work, the potential health hazards of these substances and the correct way to work with them.

The other regulatory proposals are at different stages of readiness, as outlined below:

Developed and adopted	Forestry regulation Excavation and confined entry work code of practice
Final draft	Noise control and hearing conservation regulation Construction safety regulation Part I
Second draft prepared and under review	Asbestos regulation First aid regulation Working alone regulation
First draft completed	Lead control regulation
Under review	Mines regulation

Other efforts under way include engineering criteria for safety and health officers and the mobile and overhead crane log books which is being developed.

Education

In line with the amendments to the Act contained in Bill 87, education is another high priority for the Division. The number of health and safety committees will increase dramatically as a result of the changes, and each committee member will be entitled to two days training each year. The Division wants to help the committees reach a point where they will do a lot of the preliminary work themselves, and use the Division staff as a technical resource.

CONSULTATION

Introduction

Many questions at the different sessions were similar, or dealt with the same topic. Official minutes of seven meetings, with similar questions and answers, would be long-winded and boring to read. Recording them in the order in which they were asked would also make it hard to find out what was said about specific subjects. To try to avoid these problems, and to make the record readable and as brief as possible, the minutes are not presented in the usual way.

Instead, the record of the discussion sessions is organized by subject, with four main sections:

1. consultation processes;
2. departmental issues;
3. Environmental Management Division; and
4. Workplace Safety and Health Division.

Questions and/or concerns, and the responses, are not recorded verbatim. They are distilled from notes taken at each meeting; some summarize lengthy discussions while others may include almost the exact words used. The original minutes were all edited to make the question/concern/response as concise as possible, while retaining the content. Unless otherwise noted, responses came from the Minister.

CONCERNS	RESPONSES
Legislation and regulations	
Can a system be developed to speed up the regulation development process?	A number of groups voiced this concern. Consultation does take time but in the long run it actually saves time. Different regulations require different consultation processes which may take anywhere between a couple of months and a number of years. We will, however, look at ways in which the process can be streamlined and improved.
Sometimes the government should go ahead with a regulation and make amendments later.	This course of action may cause serious problems.
There should be a different process to regularly up-date regulations and to develop new ones.	Some people may view changes as an up-dating process; others may not agree. Consultation is necessary to guarantee the workability of regulations and legislation. The French language issue is a good example of how limited consultations can cause severe problems.

CONCERNS	RESPONSES
At best, there have been only a nominal number of regulations and legislative changes from the Workplace Safety and Health Division in the last few years. In many respects, the consultation process is an exercise in futility because many of the regulations are still not law. There seems to be a roadblock in regulation development in the Legislature, not the Division. A good example of this is the proposed Construction Safety Regulation.	These regulations sometimes do take an awful long time to be passed; however the government wants to ensure that it is proceeding with workable legislation. Governments can only proceed with so many regulations and legislative changes at once and the timing for the introduction of regulations is very important.
There must be some balance in the consultation efforts. Consultation should not go on forever. At some point a decision must be made about proceeding with a regulation or amendments to legislation. There is a certain amount of frustration because a lot of work was done a year ago in the Workplace Safety and Health Division to develop a good regulation about construction safety but it still has not been proclaimed by Order-in-Council.	The frustration has been sensed and the situation is being watched closely. However, regulations must be staged properly and one must guard against overloading the system. You can only effect a certain amount of change at one time.
Some consensus about difficult issues is not feasible following consultations. The government must then proceed, in the face of opposition.	You have to try to achieve workable solutions using consultation processes. But when you cannot reach agreement, you must make a decision and then proceed.

CONCERNS	RESPONSES
Consultations - general	
These consultation meetings are very valuable, particularly to give industry a handle on new regulations. Other departments should take similar initiatives.	Business, government and labour need to work closely together to ensure that practical solutions are designed for often complex problems. The consultation process is extremely crucial to regulation development. However, regulations take some time to get through the system. We may need to refine the consultation process.
Special interest groups need enough time to take part in the consultation about regulations and legislation.	Apologies for any confusion in the notification about consultation meetings. There were some logistical problems in getting the consultation meetings together prior to the finalization of the 1984/85 estimates planning. The session of the Legislature went a great deal longer than expected, further contributing to the short notice of the consultation meeting.
Why are some people not on the Department's mailing list? There was some confusion about notification for these consultation meetings.	I will ensure that all appropriate organizations are on the Department's mailing list and wherever possible, correspondence will be directed to the Executive Secretary or Executive Director.

DEPARTMENTAL ISSUES

CONCERNS	RESPONSES
Departmental Budget	
How does the Department's budget compare to the 1982/83 fiscal year?	It is approximately eight per cent more than 1982/83. In terms of the budget for the various sections, the Worker Advisor Office was new, (so comparisons can't be made) Administration stayed the same, and Community Relations stayed the same. The Environmental Management and the Workplace Safety and Health Divisions increased. The government is currently in a difficult financial situation as demands increased substantially and revenue dropped. The government is concerned about another drop in its credit rating which would increase the cost of borrowing money. The government may have to reduce its budget during the next fiscal year.
What is the breakdown of staff expenditures for total programming in the budget?	The Department's budget is 70 per cent staff and 30 per cent programming. These figures will be part of a booklet to be forwarded to the group in about four to six weeks. (See pages 102 and 103)

CONCERNS	RESPONSES
Staff or program cuts	
Will there be an increase in staff at the Workplace Safety and Health Division in the next year?	Unfortunately not. We'll just have to work the Division harder. The government is under severe budgetary pressures - the current recession is the worst since the 1930s. This has resulted in increased demands being placed on the government at the same time as revenues fall. At this point in history there is a particularly heavy demand on government to increase social services (e.g. welfare, hospitals, etc.).
Will there be a decrease in the number of staff in the Workplace Safety and Health Division in the next year?	The Government is under severe financial constraints. There may be some reduction in staff in the coming year.

CONCERNS	RESPONSES
Which programs does the Department plan to drop next year and what programs will be kept?	The Workplace Safety and Health Division's priorities are: amendments to the Workplace Safety and Health Act, strengthening the education function, and regulation development, (i.e. Chemical Substances Regulation, - now known as the Workplace Health Regulation.) The government is committed to three fundamental rights for workers: the right to refuse, the right to know and the right to participate. These rights are being embodied in the proposed legislation and regulations.
How will the Division administer 1700 committees with its existing staff or a reduction in staff?	The process will take time but it is important to get the committees going. Materials will be forwarded to all the committees to back up their efforts. Departmental staff support will be sent in to help with all problematic situations. The committee effort will grow steadily during coming years.
What specific EMD programs will be dropped?	Some of the lake and water sampling programs may have to be discontinued. It is unfortunate but we cannot continue to do everything.

CONCERNS	RESPONSES
How will the staff decrease take place, given the current M.G.E.A. contract?	The Cabinet will review the situation with the M.G.E.A. contract in mind. Any decreases could be accommodated by transfers and attrition.
Miscellaneous	
Maybe the Department should take more advantage of volunteers. For example, there is a great deal of talent within the Manitoba Environmental Council.	That is a good point; where possible we should take advantage of outside expertise.
Staff of the Environmental Management Division should be complimented for providing much reliable information regarding the Manitoba Sugar Order, now before the Clean Environment Commission.	It's good to know that the staff were helpful in giving out information that could facilitate other peoples' purposes.
Where does the cross-over of departmental programming occur?	It occurs at a number of levels, including inter-departmental committees, Treasury Board and Cabinet.
Will the Mechanical and Engineering section of the Department of Labour and the Fire Commissioner's Office be transferred to the Department of Environment and Workplace Safety and Health?	This matter was discussed recently with the Minister of Labour, Mary Beth Dolin. This idea is still in the conceptual stage but it is getting a serious look.
Concern was expressed about the use of cameras during inspections and investigations. This could be a problem in respect to privacy.	This is a good point; it will need to be followed up.

CONCERNS	RESPONSES
There needs to be more emphasis placed on public awareness and communications. This is particularly evident in environmental issues, i.e. radioactive waste, etc.	Yes. Communication is an extremely sensitive area and one that is given very high priority.

ENVIRONMENTAL MANAGEMENT DIVISION

CONCERNS	RESPONSES
Hazardous and Special Waste Management Program	
What is happening in the area of the disposal and transportation of dangerous goods?	The transportation and disposal of dangerous goods is a major priority for the government. (The Department's three-phase Hazardous and Special Waste Management Program was explained and reference made to the proposed new Dangerous Goods Handling Act and the planned Clean Environment Commission hearings as described on pages 16 and 17 in this booklet).
Where does the Hazardous and Special Waste Management Program stand?	A symposium was held in March and draft legislation was tabled in the Legislature in late August. The legislation is now undergoing a consultation process this fall. Clean Environment Commission hearings are planned for later this year in various locations across the province. Hopefully, they will take place in November. The public consultation component of the hazardous waste program does take time but it is fundamentally necessary for effective implementation of the program.

CONCERNS	RESPONSES
	As part of the specific consultation process for the Dangerous Goods Handling Act, meetings are planned with numerous groups across the province later this fall. Receiving as much advice and input as possible about this piece of legislation is very important. (Departmental staff outlined the purpose of the information exchange: 1. to have an inventory of present waste and waste streams in the province; and 2. to brief industry personnel about details of the new program and how it may affect them.)
How are industries being notified about the proposed legislation and information exchange?	Edwin Yee, the Department's Hazardous and Special Waste Management Co-ordinator, sent a letter to more than 700 industries. The letter explains the Department's information exchange and the program in general. All the industries will also receive a package of materials, including the draft legislation.

CONCERNS	RESPONSES
How do you define hazardous waste?	The definition will be incorporated into the legislation itself. The Department has received information from many other jurisdictions and there are two basic approaches to this matter: 1. a listing of all known hazardous wastes; or 2. a broad general definition of hazardous waste.
Will hazardous waste be defined by substance or its generic makeup?	This has not been fully worked out yet. This can be an area of discussion during the specific consultation program about the legislation itself. A few models can then be proposed and discussed.
Any model adopted for defining hazardous waste must be functional rather than conceptual in nature.	Yes, this is an important area for further study by the Department. While the hazardous waste legislation embodies some basic principles, the legislation must be pragmatic and workable.

CONCERNS	RESPONSES
How will the proposed new Dangerous Goods Handling Act relate to the federal Task Force on the Transportation of Dangerous Goods?	Federal and provincial legislation cover the transportation of dangerous goods. The proposed Dangerous Goods Handling Act goes a step further than just transportation, for it involves a "cradle to grave" approach to both dangerous goods and hazardous wastes. As part of the new legislation, the Department will implement a manifest system which would be sent to them. (Departmental staff also said that the manifest system would complement the federal manifest system that is coming into force.)
What sort of time period will be given to implement a manifest system for hazardous wastes in the province? The government should consider phasing it in over a one-year period with the first six months allowing for a phasing-in of the system.	I will check to see if this suggestion is feasible.
Will the new legislation provide for notifying municipalities of routes to be used to transport hazardous waste?	This is not built into the present system; however, it is something that could be looked into. It may be worthwhile for the Department to review what other jurisdictions are doing in this regard.

CONCERNS	RESPONSES
Why is there not a Western Canada approach to solving the waste issue?	Efforts for a joint Western Canada approach broke down, primarily at a political level, due to the "not in my backyard" syndrome.
The Hazardous and Special Waste Management Program is taking too long. It will take so long to enact the legislation that by the time it was fully implemented, more concern may have to be placed on remedial efforts rather than preventive measures.	The program's timing is very important and it is moving at a cautiously slow pace. However, the consultations now underway are crucially important to the success of the program.
To what extent does the Department plan to have laboratory analytical capabilities to assist in enforcement of the Hazardous and Special Waste Management Program?	I had this discussion before with Dr. Gesser, who served on the Symposium Steering Committee. Analytical capability is very important; most of it will have to be on-site wherever the hazardous waste disposal facility is located.
Might it not be advantageous to site a facility near an existing lab? Will the University of Manitoba be of assistance to provide some analytical capability to the enforcement program?	There are many options the Department is currently reviewing and that suggestion is one possibility.
What are possible funding sources for this analytical capability?	This has not been looked at in detail but, on the surface, the chances of receiving federal funding are somewhat pessimistic.

CONCERNS	RESPONSES
Environmental education	
The Department should work with the Department of Education to further enhance environmental studies.	While this has been done to a certain extent, maybe more could be done. The Department will look into this further.
There needs to be more environmental education in the coming year.	This is a very good point; the Department is concerned about increasing its environmental education efforts. However, until now, there has been a shortage of funds to carry out this task in any meaningful way.
Does the Department use outside organizations to convey its educational messages?	(The question was referred to Mark Stefanson, Director of Community Relations Branch. We do and we would like to take advantage of working with the Manitoba Forestry Association to advance environmental education. A meeting could be set up.)
Perhaps the brewers could put environmental messages on the sides of packages or containers.	This is a good idea and one the Department could look into further, particularly with the new aluminum beer cans coming onto the market.
There needs to be more emphasis on information and education rather than regulation.	This is an excellent point; the Department is attempting to move in that direction.

CONCERNS	RESPONSES
Shoal Lake	
Can the Shoal Lake area be placed under Manitoba's jurisdiction, similar to the Hudson Bay Mining and Smelting situation in Flin Flon?	The two issues are not that similar in nature. The principal problem at Shoal Lake centres on the Band's development rights. I am pessimistic about the land being turned over to the province to control but the government is trying to get all the parties working together co-operatively.
The Shoal Lake issue is dragging on too long. The issue of Manitoba's drinking water is paramount.	Yes and the government intends to resolve the issue as soon as possible but there were other parties involved. The inordinate amount of time it has dragged on is a concern.
Red River	
Where will the money come from to clean up the Red River?	This whole area is under consideration and if it is deemed appropriate for provincial funding, it would probably come from the Department of Urban Affairs. The government will review all its options.
The Town of Selkirk is also concerned about cleaning up the waterway.	This scenario is also taking far too long and discussions are underway with the City of Winnipeg and the Town of Selkirk.

CONCERNS	RESPONSES
Pesticide containers	
Can the government do more about pesticide container disposal and, in particular, institute a surcharge on pesticide containers?	The Department is investigating the surcharge and will continue to do so with industry.
Why doesn't the government implement the recommendation made at the Hazardous Waste Symposium that disposal instructions appear on all chemical containers?	It is an excellent idea and will be pursued.
Acid rain	
Will the Department have a beefed-up promotional effort on acid rain?	The Department has been actively monitoring acid rain in the province and wants to share this information with as many people as possible. It's important to inform Manitobans that we must take part in providing a global solution to the problem.

CONCERNS	RESPONSES
Mosquito spray program	
It may not make sense to spend millions of dollars on pesticide spraying when the acceptable risk factors are low. It may not make sense to worry about risk factors that are one to the 1/millionth while failing to do anything about risk factors that are one to the 1/tenth. Although the government is moving slowly on hazardous waste, it moved far too fast on mosquito spraying this summer. The government was too fast in delivering a quick and simple remedy to the threat of Western Equine Encephalitis (WEE).	It is a very difficult question and appears to be a problem inherent in society. The government will take a long and hard look in the next few months at what can be done about Western Equine Encephalitis and aerial spraying programs. The government was forced to make a hard choice about the spraying program.
Land use conflict	
As a society, sometimes we do not have our environmental priorities straight. Enough attention is not paid to possible land use conflicts.	Land use conflicts are a constant problem for the Department. This situation must be resolved at the planning stages.

WORKPLACE SAFETY AND HEALTH DIVISION

CONCERNS	RESPONSES
Safety and Health Committees	
How many workplace safety and health committees are currently in place in the province? How many are working?	(Division Director John Reimer replied. There are about 400. About 220 function ideally. The total number will increase to 1700 with the mandatory committee requirement set out in Bill 87.)
Are all the safety and health committees operating in union shops?	A combination of union and non-union worksites have safety and health committees.
It may be a question of overkill to establish health and safety committees in offices.	There are some potentially hazardous situations in offices, (eg. VDTs,).
There must be regular contact between the Division staff and the safety and health committees.	This suggestion is a good one. There are plans to streamline staff assignments to achieve this and to build in the necessary feedback mechanisms.
Why does the WSHD not follow Saskatchewan's example of monitoring committee minutes?	The minutes are of limited value and the Division cannot deal effectively with all the minutes. The Saskatchewan situation was looked into and it was determined that, while the minutes can provide assistance, their management is extremely difficult.

CONCERNS	RESPONSES
The minutes are a good way to measure the success or failure of Divisional programming.	This is a good point; the Division will take a look at the Saskatchewan minute-taking example again.
Perhaps safety and health committees could be given a simple form to fill out and in that way the Division could keep track of what is happening in the committees on an on-going basis.	(The question was referred to WSHD Director John Reimer. I am concerned about staff devoting an inordinate amount of time to reviewing paper. Instead of going through the minutes, which is an extremely costly and time-consuming task, it may be more effective to build up a better response capability.) The Division will look at the situation again and possibly an abbreviated form will be used to spot potential problems in the workplace.
Concern was expressed that the Department will not have enough inspection staff to monitor the committees' activities.	It is true the Division does not have enough staff: it should have more. However, because of the government's financial situation, this cannot be done. At best, the Division is looking at retaining its staff complement; at worst, there will be a reduction. The Division is strengthening its educational component. It is important for every worker to become an inspector as that is the best way a system will function.

CONCERNS	RESPONSES
Senior management of industry should receive copies of any correspondence going to safety and health committees.	It is important to keep senior management informed; however, there is a concern about undercutting the safety and health committees' role.
It should be a major government priority to develop the committees. Will there be some funding for the Division from the Workers Compensation Board fund?	Much of the Division's emphasis should be placed on developing the new committees and the ensuing educational process. The self-regulatory approach to workplace safety is a good one. What is needed is more education and public awareness. The Division should operate more as trouble-shooters, rather than a kind of "police force". On the other hand, WCB funding is not a very good idea. Cabinet has agreed there is a potential danger that external funding means planning is done by external forces.
If employees serve on safety and health committees they should not expect payment for their work after hours. This should be part of their responsibilities for serving on the committee. Do you think employees who take time out to serve on safety and health committees should be paid?	There are two views about this subject and I do not necessarily agree with that viewpoint. The details still must be worked out in this specific area. In general terms, employees should not be docked pay when they are doing committee work during working hours. Payment or time off in lieu for employees who served on committees during off-hours might be acceptable.

CONCERNS	RESPONSES
Is the government contemplating legislation in the area?	It is not under consideration at this time.
What are the legal rights if an employee refuses to participate in a safety and health committee?	Under the new legislation, Bill 87, there will be mandatory workplace safety and health committees requiring employee participation. Any concerns in this regard should be directed to the Division.
How should a non-willingness to serve on a safety and health committee be dealt with?	This is unlikely to be a problem; if it is, it should be referred to the Division.
<u>Education</u>	
There has to be a stronger educational thrust, particularly in the workplace safety and health area.	Yes, education is a major departmental priority. The Workplace Safety and Health Division's efforts in response to the mandatory educational requirements of Bill 87 will be accomplished in a number of ways. The Division will develop some educational programs; it will also certify programs developed and planned by industry, unions, the Manitoba Safety Council, St. John Ambulance and so on. The Division is currently designing this whole educational program.

CONCERNS	RESPONSES
When will the mandatory educational requirements of Bill 87 come into effect?	It is expected that the mandatory educational requirements will come into effect one year from now (i.e. September 1984).
Maybe the Advisory Council could try to organize the combined educational effort so that the government, the M.F.L. and the Manitoba Safety Council are not all duplicating efforts.	It's important that duplication of effort does not occur. Division staff have been given directions to ensure that this does not occur. At this point, it is better for the Division to respond to this matter instead of the Advisory Council.
Is a heavy onus being placed on outside organizations to spend money to develop education programs to accommodate the legislation?	Some educational courses may have to be funded by other sources.
How much will the mandatory education requirement cost industry?	The costs are projected to be $4 million for the province. It is expected to cost the construction companies 0.625 per cent of their total payroll and 0.1 to 0.9 per cent for industries. While these costs are significant, the cost of not doing anything is even more significant, particularly in relation to the Workers Compensation Board payouts.

CONCERNS	RESPONSES
Where does the M.F.L. brief on education currently stand?	Plans for the new educational thrust for the Division have not totally crystallized yet. Since the mandatory educational requirements will come into force in about a year, a whole host of education programs will be developed during the coming months to accommodate the need. There are a number of ways to accommodate the educational requirements. The Division can set up its own educational courses and/or outside groups and organizations can develop training courses and have them approved by the Division.
Would the Minister like to see lottery funds channelled to support the Division's educational work?	From a philosophical point of view I would not like to see this occur, but the Manitoba Federation of Labour could pursue this idea in its representations to government.
There needs to be education in hospitals as well as in construction and industry. Most of the Division's focus appears to centre on industry.	The Division is trying to widen its educational scope.

CONCERNS	RESPONSES
The Chemical Substances Regulation*	
Advances in technology mean that preservation of trade secrets is no longer a valid argument. Trade secrets really have no meaning any more because, for example, many of the big chemical companies have the technology to analyze each other's products. The only people who do not know what is in the product are workers and the government. Does the government plan to bring in legislation to give workers the basic right to know what sorts of chemicals they are dealing with?	The government strongly believes in the principle of a worker's right to know. This is one of the main reasons we are proceeding with the Chemical Substances Regulation. This regulation will break new ground. It will probably go through a year-long consultation process using an appointed task group.
What is the proposed timing for implementation of the Chemical Substances Regulation?	(The Minister outlined the planned consultation and implementation process.) At the moment, we plan to set up a task group to carry out the consultation effort; it will hold meetings across the province this fall. Once changes are made to the first draft, the task force will hold a second set of meetings. It is then hoped that the regulation will be in a position to be passed by Order-in-Council sometime in 1984.

*Now called the Workplace Health Regulation.

CONCERNS	RESPONSES
How far do you intend to take the consultation process for the proposed Chemical Substances Regulation? It might be better to consult with interest groups first, and then go to the public.	This suggestion will be reviewed. The matter could be discussed in detail later.
Any listing of chemical substances under this legislation should be done by substance instead of generic makeup.	It is this government's intention to ensure that all its regulations and legislation are practical and workable. It is also the government's responsibility to develop the framework to ensure safe and healthy workplaces in the province. It is up to the individual work sites to determine their problems and work out the specific details. There are two approaches to legislation and regulation development: 1. the blanket approach; or 2. the specific approach. The blanket approach is preferrable. It allows workplaces to work out the details and the problems in a co-operative setting. That is why many regulations currently being prepared by the Division are of a general nature. The proposed Working Alone Regulation is a prime example of management and labour agreeing to an approach to a problem.

CONCERNS	RESPONSES
Is asbestos part of the proposed Chemical Substances Regulation?	Yes. A lengthy list of substances will be affected by this new regulation. Once the Division establishes a list of all the chemicals involved, they will focus on the most potentially problematic ones. The proposed regulation is extremely far-reaching in nature and will involve some increased costs for industry.
Why is this regulation being proposed now, particularly in light of the present economic circumstances within the province?	It should actually have been passed back in 1932. The regulation is at least fifty years overdue. The government could delay the regulation but it would cause continued health and safety problems in the workplace.
<u>First Aid Regulation</u>	
What is the status of the First Aid Regulation? In particular, why has it taken so long for the regulation to become law. This regulation has been in the consultation stage for six to seven years.	It often does take far too long to get these regulations properly processed. A lot of specific problems must be worked through before these regulations can be enacted. The government wants them to be good regulations that are practical and, unfortunately, this takes a long time. In the case of the First Aid Regulation, it has been an awfully long time. I will see if it can be expedited but can give no assurances about whether or not it would be completed in the next year.

CONCERNS	RESPONSES
Why is the First Aid Regulation coming forward now? Is it based on an increased number of accidents?	The current regulation needed updating for a long time. Although no numbers were immediately available about this regulation, the Department is trying to facilitate its information capability via computerization.
A lot of industries think the proposed First Aid Regulation is now law. They are trying to comply with it and appear to be very positive about it. But it is very difficult for an organization like St. John Ambulance to plan without knowing how long it will be before the regulation is passed into law.	I appreciate your difficulties. The staff will be asked to take a look at the situation to see where it appears to be blocked.
Regulations - miscellaneous	
What is the government doing about places that only have one employee and are in operation 24 hours?	The Department is just in the process of sending out a draft regulation and code of practice regarding working alone. It primarily puts the onus on employers to develop safety plans with their employees and have them approved by the Division.
How will the government deal with the situation when new staff are hired and they don't want to sign a safety plan, as proposed in the draft regulation about working alone?	That is a new situation. I'll ask the staff to look into this matter further. A copy of the proposed legislation and code of practice will be sent to those attending the meeting.

CONCERNS	RESPONSES
Concern was expressed about the construction camp regulations and the living conditions in construction camps.	The Workplace Safety and Health Division will be asked to investigate this matter further. It may be a good time to look at this matter now, while the construction industry is in a slump.
Will new regulations mean businesses will have to fill out more forms?	The paper-filling requirements will be designed to ensure a minimum amount of work for business and industry. For example, industry will be consulted about the Dangerous Goods Act manifest system.
Access to information	
As part of their work, Workplace Safety and Health inspectors collect information about the chemicals different companies use. Why can't the MFL occupational health clinic have access to this information, to assist workers? Without access to this information, helping workers is more difficult.	The present consultation meetings are supposed to deal with strategic concerns, not with details which can be sorted out later. However, the Department has asked for a legal opinion about the transfer of information. The Division and the M.F.L. should set up a meeting to go over the issue in detail.

CONCERNS	RESPONSES
It is frustrating to wait three or four months for a decision about the information issue. The M.F.L. is anxious to see this blockage of information eliminated.	A lot of areas of the system need changing, but these changes do take time and we want to ensure they are moving in a proper manner. Bill 87 was a classic example of how consultation paved the way for effective implementation. Through the consultation process, many of the bugs were worked out of the amendments. It is important that industry work with us, not against us, to implement new legislation.
Is the Worker Advisor Office receiving all the information it should from the Workplace Safety and Health Division and the Workers Compensation Board?	There are still a few communication bugs in the system but they are slowly but surely being worked out. (John McNevin, Director of the Worker Advisor Office, said that the Office is getting all the information it should from both the Workers Compensation Board and the WSHD.)
Since the information is available to the Worker Advisor Office, the same courtesy should be extended to individual workers.	The Department is making some major headway in this area but it is taking time. The problem, in many respects, is inherent in the legislation. Industry's co-operation is extremely vital to the on-going efforts of the Workplace Safety and Health Division.

CONCERNS	RESPONSES
Inspections	
Should the Workplace Safety and Health Division attempt to entirely separate the inspection and educational functions? These two functions must be visibly separated in the public's mind. Some industries think that if they go to the Division for educational assistance, then they will be placed on an inspection list.	That is an interesting observation but I'm not aware of the situation occurring to any measurable degree.
The Workers Compensation Board should handle the training effort and the Workplace Safety and Health Division handle inspections.	I do not agree with this approach; this system existed before 1977.
What feedback do you get from inspectors regarding compliance?	A great deal of latitude is allowed in enforcement to give employers the opportunity to work out details of their problem. The Department works on a consensus approach unless there is a hazardous situation at hand.

CONCERNS	RESPONSES
Rights and responsibilities of employees	
(Concern was registered about the responsibilities of individual workers.) You could have the best regulation in the world and the best management but there still has to be some accountability on the part of individual workers.	That can sometimes be a problem. What can be done to overcome this situation? Should Manitoba take Ontario's example and fine both employers and employees? In Ontario some individual workers are fined for minor infractions. The Division will be asked to look into this issue further to see if it had some potential for development in Manitoba.
More emphasis must be placed on detailing employees' responsibilities. Most legislation and regulations only detail the employers' responsibilities.	Safety and health at work must be a joint effort of both the employee snd employer. However, maybe more could be done to stress the importance of an employee's role in maintaining and enhancing workplace safety and health conditions.
There needs to be as much education as possible about both the right to refuse and the right to participate. The legislation will be of little value if people are unaware of its existence.	Yes, education is a major priority for the Workplace Safety and Health Division. The educational thrust will be strengthened over the coming years.

CONCERNS	RESPONSES
What is the current status of the worker's right to refuse and right to participate?	Workers have had the right to refuse under the Act since 1977. However, this right was strengthened with amendments this year. A worker's right to participate will be further strengthened this year by the establishment of mandatory workplace safety and health committees. The new right-to-refuse legislation will probably be the best in Canada.
Why not give an employee the right to stop a production line until an inspector arrives?	Employees do have the right to refuse. This was strengthened in the new amendments under the Act. Employers have a responsibility to ensure the safety of their staff. If there is a really threatening problem in any operation, the Division should be called and an inspector will respond immediately.
How many right to refuse cases come to the Division annually?	(Mr. Cowan referred the question to John Reimer. There are not very many - three or four a year. This number will grow substantially with increased public awareness. Two recent examples are the Manitoba Telephone System and Headingly Correctional Institute.)

CONCERNS	RESPONSES
Stop work orders	
Have there been any stop work orders issued by the Workplace Safety and Health Division?	(Mr. Cowan referred the question to John Reimer. I have no numbers on hand but they are issued on a fairly regular basis.)
Are an employee's wages frozen if a stop work order is issued?	Yes. Workers are also protected from discrimination if they find problems and refuse to work. (The answer to this question may inadvertently be somewhat misleading. If a stop work order is issued, any workers affected should be reassigned, depending on the alternate work available. Workers may not be discriminated against if they complain about something since the result is the issuing of a stop work order. However, there is no legal guarantee - under any provincial legislation - that workers affected by a stop work order will be paid their normal wages).

CONCERNS	RESPONSES
If a dangerous situation is caused by a third party, can a stop work order be placed on a company?	Under the current legislation the answer to this question would be no, to the best of my knowledge. I will get clarification. (Actually, the answer is yes. A stop work order may be issued against anyone who is responsible for rectifying an unsafe or unhealthy condition. For example, a contractor could be given a stop work order about an unsafe situation for which he is responsible. If the contractor is working for someone, the employer may also be issued a stop work order).
<u>Nurses</u>	
There needs to be stronger ties between nurses in the province and the Department. Nurses are interested in workplace safety and health matters from two perspectives. One is the treatment of occupationally-related illnesses and accidents and the other being nurses as workers themselves. Further communication links with the Occupational Health Nurses Interest Group should be encouraged.	Closer links between the nurses' associations and the Department would be useful. The Department will get in touch with the nurses' associations about this.
Would the Department tie in with M.A.R.N. to promote public awareness about workplace safety and health matters? There needs to be more knowledge among nurses about workplace related issues.	Yes. The Department will be asked to look into this.

CONCERNS	RESPONSES
Manitoba nurses want to get more involved in workplace safety and health matters. Mandatory committees should be required in small hospitals.	I will look into this matter to see how to take care of concerns of small hospitals.
There needs to be input from nurses when architects are designing hospitals. The example of the Seven Oaks Hospital was cited.	This is a good point; the matter will be referred to the Minister of Health, Larry Desjardins.
<u>Miscellaneous</u>	
The name of the new newsletter, "Worksafe" reinforces the notion that safety is up to the worker and not the employer.	The name was tested before its final approval and there were several objections along the same vein. The advertising agency which designed the newsletter was asked to come up with three names. However, none of these names were as good as "Worksafe". The sub-logo reads "Working towards a healthy workplace environment". The newsletter is targeted to all workers in the province and it was therefore deemed appropriate to have a catchy title.
Will the "Worksafe" newsletter be expanded to include Environment?	That is an interesting suggestion and something the Department will look into.
There is no conclusive evidence about workplace-related problems with video display terminals.	While current tests may be inconclusive, we must look at history. Many chemicals that had been deemed safe are now ruled as hazardous, (eg. PCBs, etc.).

CONCERNS	RESPONSES
Is the government looking at the question of acceptable risk factors?	There is some difficulty with this area because deciding what is an "acceptable risk" is an imperfect science at best. It is very complex, involving a lot of variables.
The most effective safety and health systems are incentive systems rather than penalty programs. People respond far better to incentives.	This is a valid point. However, the penalty system cannot be totally abandoned and is still very necessary. There must be a combination of both systems for a safe and healthy workplace.
Will the Workplace Safety and Health Division expand its film library?	That is a good suggestion. The Division will be asked to look into it.
Is there protection for a worker regarding discrimination?	This is the case. Workers are protected from discrimination under the new amendments to the Workplace Safety and Health Act. (If the question refers to discrimination because of a worker's health and safety activities, the answer is correct. However, section 42 of the Act has always forbidden this discrimination. Recent changes to the Act, (ie. Bill 87) amended this section to clarify the situation).

6. FOLLOW-UP AND FUTURE CONSULTATION

Follow-up items

This section lists items the Minister told participants he would investigate. It's just a reminder to everyone about concerns which must be followed-up. There is also a column listing what has been done about the concern, to date.

Consultation processes	Action Planned or Initiated
1. Ensure special interest groups have enough time to respond to proposed changes in regulations and legislation.	The Department's consultation process for interest group input is available at various intervals during the regulation/legislation development process.
2. Ensure that all appropriate organizations are on the Department's mailing list and, when possible, direct correspondence to the Executive Directors or Secretaries.	The Department presently maintains an extensive mailing list of organizations which is continuously updated and expanded. Wherever possible future correspondence will be directed to the appropriate contact i.e. Executive Secretary or Executive Director.
3. Review the consultation process for proposed regulations.	As outlined on pages 75 and 76 the Department has developed a standard process that would normally be followed to ensure public input in the development of regulations.

Departmental issues	Action Planned or Initiated
1. Forward the booklet about the consultation meetings, including information about the Department's budget, to all participants.	Done.
2. Use outside expertise such as volunteers.	Althouth the use of volunteers is already utilized extensively in various departmental activities, future use of such expertise will certainly be taken advantage of wherever and whenever possible. The two most prominent examples of volunteer contribution are in the Advisory Council on Workplace Safety and Health and its various committees and in the Manitoba Environmental Council.
3. Continue discussions with the Minister of Labour about transferring the Mechanical and Engineering Branch and the Fire Commissioner's Office to the Department.	These discussions are continuing. It is not known when a final decision on this matter will be reached.
4. Investigate the correct way to use cameras in investigations and inspections.	The Department is reviewing this matter and is prepared to undertake whatever action is required to ensure that proper procedures are employed.

Environmental Management Division	Action Planned or Initiated
1. Discuss the definition of hazardous waste. Will it be done by substance or by generic contents?	The definition of hazardous waste is being addressed by a Federal Provincial/Industry working group representing Environment Departments and Industry Organizations (Canadian Chemical Producers Association (CCPA); Canadian Manufacturers Association (CMA); Canadian Paint and Coatings Association (CPCA); Petroleum Association for the Conservation of the Canadian Environment (PACE); Tanners Association of Canada; National Solid Waste Management Association; Canadian Truckers Association). A general definition of Hazardous Waste will be developed for the Transport of Dangerous Goods Act (TDGA), but wastes will be listed under the nine (9) hazard classes under TDGA and defined by specific criteria applied to each class.

Environmental Management Division	Action Planned or Initiated
2. Hold Clean Environment Commisssion hearings about hazardous wastes in November.	Clean Environment Commission Hearings .Winnipeg, January 11, 1984, 7:30 p.m. January 12, 1984, 9:30 a.m. (if necessary) Basement Conference Room, Norquay Building, 401 York Avenue. .Winnipeg, January 30, 1984, 7:30 p.m. January 31, 1984, 9:30 a.m. (if necessary) Conference Room, W. M. Ward Technical Services Laboratory, 745 Logan Avenue. .Portage la Prairie, January 17, 1984, 7:30 p.m. January 18, 1984, 9:30 a.m. (if necessary) Council Chambers, City Hall 97 Saskatchewan Avenue W. .Brandon, January 18, 1984, 7:30 p.m. January 19, 1984, 9:30 a.m. (if necessary) Room B-8, Provincial Building 340 9th Street .Morden, January 25, 1984, 7:30 p.m. Royal Canadian Legion Hall 285 N. Railway Street .Thompson, February 2, 1984, 7:30 p.m. Council Chambers, City Hall 226 Mystery Lake Road

Environmental Management Division	Action Planned or Initiated
3. Assess if the hazardous waste manifest system can be phased in over a given time, such as six months or a year.	Presently it is Manitoba's intention to develop a manifest system that will be phased in over several years. The manifest will be utilized as an inventory mechanism during the initial phase-in period.
4. Review other jurisdictions' practices about notifying municipalities along hazardous waste transportation routes.	Based upon recognition of the need for basic information related to knowledge of which hazardous substances are present in the community and where they are located, the City of Philadelphia passed legislation providing for the public's right to know (adopted in 1981, the first municipality in North America to do so). This was followed by similar legislation in Cincinnati, Ohio, and eleven municipalities in California (including Sacramento, San Jose and Santa Monica). In Canada, at least two municipalities have made similar initiatives: - Windsor City Council is investigating the possibility of a municipal disclosure by-law. - Toronto's Board of Health commissioned a study in September 1981 on "The Right to Know Hazardous Substances in the Community and Workplace".

Environmental Management Division	Action Planned or Initiated
	The Toronto report* recommended that: (a) the City of Toronto should pass a Hazardous Substances Disclosure by-law to gather and make public information on hazardous substances stored, used, processed, produced or disposed of in Toronto. (b) the City of Toronto should urge the provincial government to (i) gather information on hazardous substances transported by road in the municipality, and (ii) extend the scope of and refine the existing waybill system and make the information thus gathered publicly available showing wastes generated by specific companies. (c) the City of Toronto should urge the federal government to gather and distribute information on hazardous substances transported by rail in the municipality. * Copy of this report is available from Mr. E. Yee, Co-ordinator, Hazardous and Special Waste Program - 944-7039. CONTINUED

Environmental Management Division	Action Planned or Initiated
	Relative to Manitoba, it should be noted that The Transportaton of Dangerous Goods Act (upon proclamation) will give municipalities the authority to designate routes that should be taken through the municipality in the transportation of dangerous goods. The Department is also contemplating incorporating this provision, along with transportation pre-notification, in its Dangerous Goods Handling Act.
5. Discuss the possibility of siting a hazardous waste facility near an analytical laboratory. The University of Manitoba would like to be considered.	A hazardous waste facility or component of the waste management system will be required to have analytical capability on site. Site selection will be subject to criteria developd by the Department and general public through the public hearing process.
6. Investigate working with the Department of Education with respect to environmental education programs.	The Department had planned to commence the development of an Environmental Education Program in fiscal year 1984-85; however, due to constrained resources it will not be possible to proceed at this time. The Department does share on a limited basis relevant environmental information with schools. As well, through the Manitoba Environmental Council Cartoon Contest, student involvement in Environmental concerns is facilitated.

Environmental Management Division	Action Planned or Initiated
7. Meet with organizations interested in conveying the Department's educational messages, particularly the Manitoba Forestry Association.	Due to the Department's emphasis on public participation in its programs, it is not only desirable but essential to maximize educational programs utilizing all available resources. A meeting has been held with Manitoba Forestry Association and other interest groups. A committee has been formed to further the objectives of environmental education in the province.
8. Investigate having breweries put environmental messages on their products.	Although no formal action has as yet been undertaken respecting the placement of environmental messages on packages and containers, the Department will be pursuing this suggestion with the relevant organizations.
9. Resolve the Shoal Lake issue as soon as possible.	Discussions are continuing amongst the interested parties (Manitoba, Canada, City of Winnipeg and Indian Reserve #40) to arrive at a solution that will satisfy all interests and concerns.

Environmental Management Division	Action Planned or Initiated
10. Review all options about cleaning up the Red River.	Since 1982 technical and political discussions have been underway to address this problem. While agreement in principle has been reached as to the possibility of joint action to clean up the Red River, specifics such as cost sharing and the most appropriate technology to utilize have not as yet been resolved. Discussions are continuing amongst the parties involved.
11. Investigate using surcharges on pesticide containers.	During the fall and winter of 1981, meetings were held with representatives of the Canadian Agricultural Chemical Association in an effort to find a solution to the problem of pesticide container disposal. A surcharge on the sale of pesticides was discussed at that time as an alternative mechanism for funding proper disposal. Since that time, staff have consistently indicated to industry that the surcharge option has not been dismissed.

CONTINUED

Environmental Management Division	Action Planned or Initiated
	On December 15, 1983, staff met with the Department of Agriculture to review the submission. It was decided that Agriculture would provide some additional information respecting the legal and administrative mechanisms required to implement the surcharge. No response has been received to date, and because of the Weed Fairs and other previous departmental commitments, none is expected for another three weeks to one month. We would expect to work out the details of this program jointly with the Department of Agriculture and the chemical industry.

Environmental Management Division	Action Planned or Initiated
12. Implement recommendation about chemical containers' disposal instructions.	The Province has established an Agricultural Chemical Container Disposal Committee consisting of members from Federal Agriculture and Environment, Provincial Agriculture and Environment, Canadian Agricultural Chemicals Association (CACA) and the Union of Manitoba Municipalities. Several meetings have taken place to discuss the various aspects and problems associated with container disposal. To date, there is basic agreement that wherever possible, all containers should be subjected to triple rinsing or equivalent, punctured and taken to a designated collection site or waste disposal grounds for recycle or burial. At the latest Canadian Association of Pesticide Control Officers (CAPCO) meetings in Ottawa, this concept was thoroughly discussed and agreed on by all provinces. Federal Agriculture and Environment are attemping to apply this principle in the actual label instruction. It was stated at CAPCO that before disposal statements could be used on a label, the individual registrants would have to supply data to substantiate the validity of such a statement. A CACA representative felt that this could be accomplished without too much time, expense, etc.

Environmental Management Division	Action Planned or Initiated
13. Look at what can be done about Western Equine Encephalitis aerial spraying programs.	An interdepartmental committee has been established to review the entire matter of Western Equine Encephalitis and the aerial control programs carried out in 1975, 1977, 1981 and 1983. The Committee is chaired by the Deputy Minister of Environment and Workplace Safety and Health and has representation from the Departments of Health, Agriculture and Government Services. The Committee is expected to provide a report and recommendations to government by February 29, 1984.

Workplace Safety and Health Division	Action Planned or Initiated
1. Have regular contact between staff and safety and health committees; accomplish this by streamlining staff assignments and setting up a feedback system.	This is the present normal method of operation. All existing committees are being visited and new ones will be followed. A feedback system is in place since minutes of meetings are submitted to the Division.
2. Re-examine the Saskatchewan procedures for monitoring committee minutes. Perhaps use an abbreviated report form to spot potential problems.	Saskatchewan has discarded this system as it was of limited value and no other province has seen fit to implement a similar system.
3. Work out details about wages paid to people serving on health and safety committees.	We have interpreted the legislation to mean that workers must receive their regular rate of pay (not overtime) for attending Safety and Health Committee functions. Any dispute should be taken to the Manitoba Labour Board.
4. Ensure committee education programs from different organizations do not duplicate one another.	The Division has made several overtures in the past to organizations for the purpose of encouraging cooperation and complimentary programming and will continue such contacts in the future.
5. Send the Workplace Health Regulation out for public comment. Hopefully, pass it by Order-in-Council in 1984, after going through an intensive consultation process.	Regulation is presently out for comment.

Workplace Safety and Health Division	Action Planned or Initiated
6. Review the suggestion that special interest groups be consulted first about the Workplace Health Regulation. The public would be consulted during the second round.	Special interest groups and Safety and Health Committees are included in the first round.
7. Check to see what is happening with the proposed First Aid Regulation.	On June 17, 1983, the Advisory Council on Workplace Safety and Health forwarded to the Minister of Environment, Workplace Safety and Health, Draft #2 of the First Aid and Emergency Requirement Regulation, with a recommendation that it be released for public comment.
8. Look into how to deal with new staff who do not want to sign the safety plan required under the proposed Working Alone Regulation.	The current Draft Code of Practice specifies consultation with Safety and Health Officers for resolution.
9. Send out copies of the draft Working Alone Regulation and its code of practice to interested parties.	First round complete. Second round in process.
10. Investigate the need for regulations about construction camps and living conditions in those camps.	At the present time, the Construction Safety Committee is meeting bi-monthly and making changes to the physical aspects of the regulation -- type of bed, size of rooms, change of bedding, etc.

Workplace Safety and Health Division	Action Planned or Initiated
11. Meet with the Manitoba Federation of Labour to discuss the issue of access to information from the Division files.	An internal policy is presently under review by Departmental Planning staff. A Department-wide policy is appropriate.
12. Investigate ways to enforce workers' responsibilities under the Act and regulations, including a fine system.	The Advisory Council is presently studying the entire enforcement issue.
13. Establish closer links with the nurses associations and the Occupational Health Nurses Interest Group.	The Division will contact MARN and MONA to forge closer links between them and the Department on workplace safety and health matters.
14. Investigate how to deal with health and safety concerns in small hospitals, especially the role of committees.	It will be necessary to encourage the Manitoba Health Organization to take a more active role with respect to safety and health programs in hospitals.
15. Discuss with the Minister of Health how to involve nurses in the process of planning additions to or changes in hospitals.	This matter will be discussed with the Minister of Health.

Workplace Safety and Health Division	Action Planned or Initiated
16. Check out whether or not "Worksafe" can include environmental issues.	The newsletter was conceived to provide the workplaces of Manitoba with relevant, concise information. The format of the newsletter consists of only 4 pages with a total of 9 variable story lines and approximately 3/4 of a page of regular feature information. This small amount of print space must cater to the interest of a multitude of work forms and would be further reduced by the addition of material not immediately relevant. Certainly, with format changes many more articles could be presented on the provision they are of a relevant nature to the target readership.
17. Investigate expanding the film library.	Purchases to the film library were frozen for a number of years in the mid-1970's. Since 1979, the film library has been purchasing films as funds are available but films are very costly and replenishment of the library is not possible without a major influx of funds.

DEPARTMENT OF ENVIRONMENT AND WORKPLACE SAFETY AND HEALTH
CONSULTATION PROCESS
REGULATION DEVELOPMENT

PROCESS	DEFINITION
1. NEED	Can be identified: internally externally politically.
2. INTERNAL CONCEPT	Developmental work at conceptual level. Initiated internally.
3. MINISTERIAL APPROVAL	At conceptual level to proceed to Consultation #1.
4. CONSULTATION #1 - "CONCEPT"	May include: Advisory Council and Committee Structure; Special Committee or Task Force; General Interest Group Circulation; and/or Public Advertising/Newsletter.
5. REVIEW AND REFINE (CONCEPT)	As required from Consultation #1.
6. DRAFT REGULATION	Development. Initiated internally as result of Consultation #1.
7. DRAFT REVIEW	May include Advisory Council and Committees.
8. MINISTERIAL APPROVAL	At initial draft stage to proceed to Consultation #2.
9. CONSULTATION #2 - "REGULATION"	May include; Advisory Council and Committee Structure; Special Committee or Task Force; General Interest Group Circulation; and/or Public Advertising/Newsletter.

PROCESS	DEFINITION
10. COMMENT REVIEW	As resulting from Consultation #2; may include: Advisory Council; Staff; Departmental Executives; and/or Committee Structures.
11. RE-DRAFT REGULATION	As a result of Review.
12. CONSULTATION #3 - "REGULATION" (where necessary)	May include: Advisory Council and Committee Structure; Special Committee or Task Force; General Interest Group Circulation; and/or Public Advertising/Newsletter.
13. MINISTERIAL APPROVAL	At final DRAFT STAGE.
14. LEGISLATIVE COUNCIL	Approval of DRAFT BILL.
15. CABINET PAPER AND ORDER-IN-COUNCIL	

REGULATION / PROCESS STEPS	NEED	1 INTERNAL CONCEPT	2 MINISTERIAL APPROVAL	3 CONSULTATION #1 (CONCEPT)	4 REVIEW AND REFINE (CONCEPT)	5 DRAFT REGULATION	6 DRAFT REVIEW	7 MINISTERIAL APPROVAL	8 REGULATION CONSULTATION #2	9 COMMENT REVIEW (DRAFT)	10 REDRAFT REGULATION	11 CONSULTATION #3 WHERE NECESSARY	12 MINISTERIAL APPROVAL	13 LEGISLATIVE COUNCIL	14 CABINET PAPER AND O/C	15 COMMENT
LITTER (A)	X	X				X	X		x		x		Present Status			
WASTE DISPOSAL GNDS (A)	X	X				X	X	Present Status								
INCINERATORS (A)	X	X				X	X	Present Status								
SEPTAGE (N)	X															
GASOLINE & ASSOC. PRODUCTS (A)	X	X	X													
SWIMMING POOLS (A)	X	Red Cross	Dec.	As Part of Step 2.		Jan.	Jan.	Feb.	Feb./Mar.	Mar.	Mar./Apr.		Apr.	Apr./May	May	Req'd Before Swim Season
INSANITARY CONDITIONS (A)		X				Nov.	Nov.	Nov.						Dec.	Dec.	Minor Amend.
WATERWORKS AND SEWERAGE (A)	X					Nov.	Nov.	Nov.						Dec.	Dec.	
PUBLIC WATER PRIVATE WATER (N)	X	Nov.	Dec.			Dec.	Dec.	Jan.	Jan./Feb.	Feb.	Feb.		Mar.	Mar.	Mar.	

Legend
(A) = amend
(N) = new

REGULATION	PROCESS STEPS	1 NEED	2 INTERNAL CONCEPT	3 MINISTERIAL APPROVAL	4 CONSULTATION #1 (CONCEPT)	5 REVIEW AND REFINE (CONCEPT)	6 DRAFT REGULATION	7 DRAFT REVIEW	8 MINISTERIAL APPROVAL	9 REGULATION CONSULTATION #2	10 COMMENT REVIEW (DRAFT)	11 REDRAFT REGULATION	12 CONSULTATION #3 WHERE NECESSARY	13 MINISTERIAL APPROVAL	14 LEGISLATIVE COUNCIL	15 CABINET PAPER AND O/C	COMMENT
DANGEROUS GOODS (N)		X	Adopt Transportation of Dangerous Goods List With Minor Modifications														Consultation Unnecessary
HAZARDOUS WASTES (N)		X	Adopt Transportation of Dangerous Goods List With Minor Modifications														
LICENCEABLE HAZARDOUS WASTES (N)		X	Oct/Nov	Nov.			Nov.	Nov.	Dec.	Dec./Jan.	Jan.	Jan./Feb.	Feb.	Feb.	Feb/Mar		
MANIFEST SYSTEM (N)		X	Oct/Nov	Nov.			Nov.	Nov.	Dec.	Dec/Jan	Jan.	Jan/Feb	Feb.	Feb.	Feb/Mar		
ENVIRONMENTAL ACCIDENTS (N)		X	Jan.	Jan.	Feb.	Mar	Mar.	Apr.	Apr.	May/June	June	July	July	Aug.	Aug.		
FACILITY LICENCING (N)		X	Oct/Nov	Nov.			Nov.	Nov.	Dec.	Dec/Jan	Jan.	Jan/Feb	Feb.	Feb.	Feb/mar		
DANGEROUS GOODS HANDLING ACT (N)		X	X	X	X	X	X	X	X	Oct/Nov	Nov/Dec	Dec/Jan	Jan.	Jan.	Feb.		To Accommod. D.G.H. Act
CLEAN ENVIRONMENT ACT (A)		x	x	Nov.			Dec.	Dec.	Dec.			Jan.	Jan.	Jan.	Feb.		
EARP ACT		Awaiting Ministerial Approval.															

Legend
(A) = amend
(N) = new

REGULATION / PROCESS STEPS	1 NEED	2 INTERNAL CONCEPT	3 MINISTERIAL APPROVAL	4 CONSULTATION #1 (CONCEPT)	5 REVIEW AND REFINE (CONCEPT)	6 DRAFT REGULATION	7 DRAFT REVIEW	8 MINISTERIAL APPROVAL	9 REGULATION CONSULTATION #2	10 COMMENT REVIEW (DRAFT)	11 REDRAFT REGULATION	12 CONSULTATION #3 WHERE NECESSARY	13 MINISTERIAL APPROVAL	14 LEGISLATIVE COUNCIL	15 CABINET PAPER AND O/C	COMMENT
CONSTRUCTION REGULATION (PART II)	X	X	X	X	X	X	X	X	Dec.	Jan.	Jan.	Feb.	Mar.	Mar.	Apr. 30/ 1984	
CONSTRUCTION CAMP REGULATION	X	X	X	Nov/83	Nov.	Dec/83	Dec.	Jan.15/ 1984			Feb/84		Mar/84	Mar.	Apr.1/84	
WORKING ALONE REGULATION	X	X	X	X	X	X	X	X	Nov/83	Dec.	Jan.	Feb/84	Mar.	Mar.	Apr.30/ 1984	
SPRAY FINISHING REGULATION	X	X	X	X	X	X	X	Jan/84		Feb.		Mar.	Apr.	May	May 30/ 1984	
LEAD REGULATION	X	X	X	X	X	X		Jan/84		Feb.		Mar.	Apr.	May	May 30/ 1984	
FIRST AID REGULATION	X	X	X	X	X	X	X	X	X	X	X	Feb/84	Apr.	May	May 30/ 1984	
WORKPLACE HEALTH REGULATION	X	X	X	X	X	X	X	X	Jan.	Mar.	May	July	Aug/84	Aug.	Sept. 1/ 1984	
CONSTRUCTION REGULATION (PART III)	X	X	X	X	X	Apr.	May	May	June	June	July	July	Aug/84	Aug.	Sept.30/ 1984	

REGULATION / PROCESS STEPS	NEED	INTERNAL CONCEPT	MINISTERIAL APPROVAL	CONSULTATION #1 (CONCEPT)	REVIEW AND REFINE (CONCEPT)	DRAFT REGULATION	DRAFT REVIEW	MINISTERIAL APPROVAL	REGULATION CONSULTATION #2	COMMENT REVIEW (DRAFT)	REDRAFT REGULATION	CONSULTATION #3 WHERE NECESSARY	MINISTERIAL APPROVAL	LEGISLATIVE COUNCIL	CABINET PAPER AND O/C	COMMENT
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
AMENDMENTS - M.R. 158/77 SAFETY & HEALTH COMMITTEE REGULATION	X	X	X	X	X	X	Nov 15/ 1983	Nov/83	Nov/83	Dec/83	Dec/83	N/A	Dec/83	Jan.	Jan/84	
CODE OF PRACTICE: A. SAFETY & HEALTH COMMITTEES AND REPRESENTATIVES ON CONSTRUCTION SITES	X	X	X	X	X	X			Same As	Above.						
B. SAFETY & HEALTH COMMITTEES AND REPRESENTATIVES AT INDUSTRIAL WORKPLACES	X	X	X	X	X	X										
CONSTRUCTION REGULATION (PART I)	X	X	X	X	X	X	X	X	X	X	X	X	Req'd Oct. 20/ 1983	Nov/83	Dec/83	
ASBESTOS REGULATION	X	X	X	X	X	X	X	X	X	X	X	X	Dec.	Jan/84	Feb.28/ 1984	
HEARING CONSERVATION REGULATION	X	X	X	X	X	X	X	X	X	X	X	X	Dec.	Jan/84	Feb.28/ 1984	

PUBLIC HEALTH ACT REGULATIONS ADMINISTERED
AND ENFORCED BY ENVIRONMENTAL MANAGEMENT DIVISION - DISCUSSION PAPER

	REGULATION	PROPOSAL	JUSTIFICATION
1.	P210-R3, Division I Insanitary Conditions	Retain	An insanitary condition regulation is considered necessary to provide environment/environmental health protection related to general nuisances which are not specifically regulated. The regulation is being used at present; however, it should be updated.
2.	P210-R3, Division IV Atmospheric Pollution	Repeal	This regulation is unnecessary since the Clean Environment Act provides sufficient authority and control. A regulation can be developed under the Clean Environment Act, if required, on the similar basis to incinerator regulation. There is a perceived conflict between this regulation and the Clean Environment Act.
3.	P210-R3, Division V Collection and Disposal of Wastes	Repeal	The collection and disposal of wastes is a Municipal responsibility. Portions of this regulation should be retained under other authority - the disposal of airtight containers could be a separate regulation; the collection could be handled under the Municipal Act; and disposal is already covered under the Clean Environment Act Regulations - Waste Disposal Grounds and Private Sewage Disposal Systems.
4.	P210-R3, Division VI Protection of Water Sources	Repeal	The Clean Environment Act has authority and control for protection of water sources; if a specific regulation is required, it can be developed under this Act.
5.	P210-R3, Division VII Water Supplies	Repeal	Draft regulations under the Clean Environment Act on both private and public water supplies have been developed and forwarded to the Minister. They should be re-activated.
6.	P210-R3, Division VIII Ice	Retain	This regulation provides essential public protection on ice supplies.
7.	P210-R3, Division IX Water Works, Sewerage & Sewage Disposal	Repeal	This regulation should be up-dated and filed as a regulation under the Clean Environment Act.
8.	P210-R3, Division XI Sanitary Areas in Certain Portions of the Province	Repeal	The need for this regulation no longer exists since the Clean Environment Act provides essential control.

	REGULATION	PROPOSAL	JUSTIFICATION
9.	P210-R3, Division XII Dwellings and Buildings	Retain	A complete revision has been prepared - Rental Accommodation Regulation. This regulation will update and clarify essential requirements.
10.	P210-R3, Division XIII Fumigation and Pest Control	Retain	This regulation should be retained as essential public protection. It should be reviewed and transferred to C.E. Act as part of pesticide program.
11.	P210-R3, Division XIV Keeping of Animals Repealed Aug/83	Repeal	This regulation relates to land use control, a responsibility of Municipal Affairs and Municipal Corporations.
12.	P210-R3, Division XVI Swimming Pools, Wading Pools, Modified Pools and Non-Conforming Pools	Retain	This regulation is essential with respect to swimming pool safety.
13.	P210-R3, Division XVII Recreational Camps	Retain	This regulation is considered essential for public protection. A review and update are required.
14.	P210-R4, Division I Food and Food Handling Establishments	Repeal	The food regulations have been reviewed and a proposed regulation has been developed to cover Divisions I, II, IV, and V, and Red Meat.
	P210-R4, Division II Eating Establishments	Repeal	Repealed August, 1983
	P210-R4, Division IV Slaughterhouses	Repeal	Replaced by new Food and Food Handling Regulation.
	P210-R4, Division V Bottling Plants	Repeal	
	Red Meat Regulation	Repeal	
15.	P210-R5, Division II Industrial and Construction Camps	Repeal	The environmental/environmental health aspects are already covered under existing regulations and medical coverage is provided for under the M.H.S.C. plan. The workplace aspects should be transferred to the Workplace Safety and Health Act.
16.	P210-R5, Division V Rags and Other Materials	Repeal	This regulation should be repealed in concert with Consumer and Corporate Affairs and reviewed with Workplace Safety and Health.
17.	P210-R5, Division VII Hotels	Repeal	A complete revision of dwellings and buildings - proposed Rental Accommodation Regulation - will obviate the need for this regulation.

	REGULATION	PROPOSAL	JUSTIFICATION
18.	P210-R5, Division VIII Barbershops and Hairdressing Establishments	Repeal	This regulation could be repealed unless a Medical Public Health Review can substantiate. Alternately, it could be transferred to the licence authority of Labour and Manpower.
19.	Man. Regulation 207/79 X-Ray Safety	Retain	The X-Ray regulation is considered essential. The current review may result in revision and transfer to Workplace Safety and Health.

7. EVALUATION RESULTS AND INTERPRETATION

To assess the pre-meeting and meeting process, as well as to prepare for future meetings of this nature, a short questionnaire was given out at the end of each meeting. (See Appendix - pages 96 - 101 for the list of questions). Sixty-eight of the questionnaires were completed and returned.

The questionnaire had two parts. The first section asked about the meeting timing and location while the second part addressed meeting content and duration. All but five questions on the questionnaire were multiple choice, set answer questions. The multiple choice responses are contained in the first two parts of this section (numbers 1 to 8 and 9 to 14, pages 84 to 89). The open-ended or fill-in-the-blank questions are dealt with in the third part of this section (numbers 15 to 18, pages 89 to 94).

I. MULTIPLE CHOICE RESPONSES: TIMING AND LOCATION

1. Timing of meeting notification and actual meeting

Several weeks passed between the actual time when the interest groups were told about the general consultation meeting and the meeting itself. Thirty-five percent (25 respondents) stated they had just enough time between notification and meeting; 43% (29 respondents) said there was not enough time; 10% (7 respondents) said the time was totally insufficient. Only 10% (7 respondents) stated they had plenty of time between notification and meeting.

Recommendation: Respondents clearly indicated the need for more time between meeting notification and the actual meeting.

2. Meeting notification lead time desired by participants

Respondents were asked how much lead time they required between notification and meeting. The vast majority of the respondents (78% or 52 respondents) stated they needed two to four weeks of lead time. The largest single response (35% or 23 people) require four weeks; the second largest response group, (24% or 16 respondents) stated they need three weeks. An additional 10% (7 respondents) stated that they required five weeks.

Recommendation: Lead time for future consultations of this kind should be a minimum of four weeks.

3. Frequency of general consultations desired

The majority, (82% or 56 persons), said they would like to meet with the Minister for general consultations two or three times a year. Opinion was evenly divided among these 56 people between two and three times a year. Eleven respondents (16%) stated that they wanted a general consultation only once a year.)

Recommendation: General consultations should take place twice a year.

4. Preferred time of day for meetings

One half of the respondents (33 people or 49%) said they preferred morning meetings. Just over one-quarter (28% or 19 people) favoured afternoon meetings, while one fifth (19% or 13 people) preferred evenings. These results clearly indicate differences in work flexibility, suggesting the need to continue having meetings during all three time periods.

Recommendation: **The Minister should continue to hold morning, afternoon and evening meetings; the largest number of meetings should take place in the mornings, second largest number of meetings in the afternoon, and fewest number of meetings in the evening.**

5. Preference for weekday vs. weekend meetings

Almost 80% (78% or 53 respondents) preferred weekday meetings. Significantly however, one-fifth of the respondents (21% or 14 persons) wanted weekend meetings.

Recommendation: **Some weekend meetings should take place, especially in light of the significant labour, health and safety interest group demand for same.**

6. Most preferred months for general consultations

To ascertain the best months for meetings, respondents were asked which three months they most preferred. Most favoured months were:

1. September - 16% - 27 Respondents
2. January - 14% - 23 Respondents
3. February - 13% - 22 Respondents
4. March - 13% - 21 Respondents
5. October - 12% - 21 Respondents

Remaining responses were scattered among the seven remaining months.

Recommendation: **A winter meeting take place in January, February or March. A fall meeting take place in September or October.**

7. Ability to hear speakers at meeting

The vast majority, 92% or 63 persons, had no difficulty hearing speakers at the meetings.

8. Ability to see speakers/materials at meeting

Although people had little difficulty hearing participants at the meetings, one-fifth (20% or 14 people) experienced difficulty seeing either speakers or materials at the meetings.

Recommendation: More care is needed in seating and similar aids to viewing speakers and display materials.

II. MULTIPLE CHOICE RESPONSES: DURATION AND CONTENT

9. More than three-quarters (78% or 53 respondents) felt that the meeting length was comfortable (i.e. just right). Seven percent (five persons) said the meeting was too long. Fifteen percent, or 10 respondents said it was too short. The majority of those who felt the meeting was too short attended the largest group meeting. The respondents thus may be suggesting that there were too many people at the meeting to meaningfully participate in the length of time allotted. This may indicate their feeling of a general need for more contact with the Minister about the presence of one or more burning issues.

Recommendation: Meeting length was generally satisfactory. However, it would appear that meetings with more than 10 - 11 persons at a time are disfunctional. Further, there appears to be an expressed need on the part of labour for more contact with the Minister, at least at present.

10. Meeting formality

Ninety-nine percent (67 respondents) said the degree of formality of the meeting was just right. One person felt that the meeting was too informal.

Recommendation: Meeting style was perfect and should be retained.

11. Participant rating of information presented re: Department and programs

Participants were generally pleased with the information given at the meetings; 46% (31 people) rated it as good and 32% (22 people) rated it as adequate. Three respondents rated the information as poor. It is possible that, what appears to be a higher than anticipated score for "adequate" as opposed to "good", resulted from our failure to provide a background information package and agenda to participants prior to the meetings. (This is commented on in part III of this section.)

Recommendation: Information packaging prior to and at meetings may require tightening.

12. Clarity of information presented respecting upcoming topical consultation

A surprising 25%, or 17 persons, stated that the information about up-coming topical consultations was "unclear". (One person, in addition, stated that this information was confusing.)

Recommendation: **We appear to have significantly failed to hit the mark in transferring information. It is necessary to underline the message re: upcoming topical consultations in materials sent out.**

13. Value of meetings to respondents and respondent organizations

Three-fourths of the respondents (78% or 53 people) said that the consultation was valuable. Six percent, or four respondents, stated that the meeting was of little value; one (1%) said it had no value.

Recommendation: **General value of meetings was considered good. Those rating value low may represent persons anticipating more detailed or topical discussions than planned for these sessions.**

14. Relationship between respondent organizations and department

Eighty-six percent, or 58 people, rated their organization's relationship with the Department as good or excellent. Five percent, (four people) rated the relationship as poor.

Recommendation: **There are still a few organizations with whom we have to do some more work to develop a good relationship.**

III. OPEN-ENDED QUESTIONS

Four separate open-ended questions were asked. They related to:

1. pre-meeting materials which participants would like to receive;

2. the presence of Departmental staff at the general consultation meetings;
3. sufficiency of topics covered at the September round of general consultations; and
4. suggestions for improvements which the Department could undertake.

15. Pre-meeting materials which participants would like to receive

Almost all respondents (53 of 68 persons) answered this question. The vast majority wanted an agenda for future meetings, as well as topical materials related to the agenda. The second-most-demanded materials for a pre-meeting package were copies of proposed changes to the Act, to regulations and proposed new regulations.

Additional requests, by smaller numbers or respondents, included:

1. minutes from the previous general consultation;
2. statements of progress respecting issues discussed at previous general consultations;
3. names of organizations invited to the general consultations; and
4. copies of visual materials (budgets, organizational charts and so forth) to be presented at the consultation.

The response pattern clearly indicates that meeting participants felt they could not adequately prepare for the general consultations without sufficient materials.

Recommendations: **Future general consultations should involve a pre-meeting mail-out package. The minimum material this package should include are: an agenda; a list of participating organizations; copies of all visual and print materials to be used or discussed at meetings; some type of minutes from the previous consultation meeting; and a report about progress made on issues discussed at the last consultation session.**

16. Presence of other departmental staff at consultation meetings

Only 13 participants suggested that other departmental staff should be present at the general consultation meetings.

Some participants wanted the Director or inspectorate representatives from the Workplace Safety and Health Division to be present. One organization suggested that the Director of the Environment Programme be present. Another wanted an analytical lab representative to be present.

Other comments were general in nature and included the desire for staff to become more familiar with the organizations; the desire to have Departmental staff present to participate to a greater degree; and the desire to see women in key positions.

Recommendation: **All Department Directors should be present at all general consultation meetings.**

17. Other issues participants would like discussed at consultations

Twelve respondents answered this question. Four wanted more detailed discussions about the Act and Regulations.

One wanted more information about setting up a safety and health committee. Another wanted more discussion about workers compensation. Two others felt that advertising was required to increase the number of safety committees.

One group wanted to discuss what they consider is a lack of follow-up by the Workplace Safety and Health Division.

More discussion of the Department's budget was important to one representative, while another wanted to pursue discussions about land use and wildlife.

Seven of the 12 respondents to this question were at the largest single meeting. Their responses indicate that they may have been frustrated in getting their messages heard because of the number of people at the meeting.

Recommendation: Meeting sizes should not exceed 10-14 people. It may be advantageous to solicit specific questions from participants at the meeting's end, answering these questions by mail as a follow-up.

18. Suggested improvements Department can undertake

There were 31 responses to this question. Five of them dealt with education. These were:

1. education is an important priority;
2. increased educational effort;
3. more specific and topical education for health and safety committees is important;
4. increased labour in put into education; and
5. departmental and public participation in education should be broadened.

Three respondents commented on regulations. One cautioned that new regulations should have some direction about employer accountability. A second cautioned that interest groups may need more time to review proposed changes. The third wanted more expeditious handling of Construction Committee recommendations for changes to the Act.

Five responses dealt with public relations/communications. These responses called for more communications and information feed-back, better public relations, better communications about proposed thrusts and better communication about meetings and meeting dates.

Several responses dealt with inspectors and inspections. One suggested up-grading of officers and others said more inspectors are needed.

Several responses called for increased speed in bringing in new regulations.

A number of very specific recommendations were made. These were:

1. inclusion of Fire Commissioner's office and the Department of Labour's Mechanical and Engineering Branch as soon as possible into the Department;
2. separate meetings for environmental and workplace safety and health interest groups;
3. the need for long-term planning and financial committment;
4. better recognition of the role nurses could play in safety and health and their incorporation in various regulations; and
5. consider using legal professionals in education programs, especially to draw attention to employer and employee obligations and rights.

A disproportionately large and vocal number of responses were concerned with access to information and research material from Workplace Safety and Health.

Recommendation: Our public relations campaign is well-timed. Education is a priority. Professional groups want a larger role. The issue of information handling, release and research should be settled.

PARTICIPANTS

Association of Professional Engineers of Manitoba
Building Trades
Canadian Agricultural Chemical Association
Canadian Manufacturers' Association
Canadian Society of Safety Engineers
Clean Environment Commission
Manitoba Association of Registered Nurses
Manitoba Association of Urban Municipalities
Manitoba Bar Association
Manitoba Environmental Council
Manitoba Federation of Labour
Manitoba Forestry Association
Manitoba Heavy Construction Association
Manitoba Medical Association
Manitoba Naturalists Society
Manitoba Organization of Nurses Associations
Manitoba Safety Council
Manitoba Wildlife Association
Mines Accident Prevention Association of Manitoba
Mining Association of Manitoba
Occupational Health Nurses Interest Group
St. John Ambulance
Union of Manitoba Municipalities
University of Manitoba
Winnipeg Chamber of Commerce
Workplace Safety and Health Advisory Council

CONSULTATION MEETINGS EVALUATION

It is the Minister's intent to continue to hold consultations with you. In order to ensure that this process meets your needs, would you please complete this evaluation and return it before you leave.

1. TIMING AND LOCATION

(a) Was there enough time between notification of this consultation and the consultation meeting?

1. Plenty of time
2. Just sufficient time
3. Not enough time
4. Totally insufficient time

(b) In future, how much time would you prefer between notification of the consultation meeting and the actual meeting? Circle one:

1 2 3 4 5 6 7 8 9 10 (weeks)

(c) How often would you like to have general consultation meetings with the Minister?

1. One a year
2. Twice a year
3. Three times a year

(d) What time do you prefer for meetings?

1. Morning

2. Afternoon

3. Evening

(e) When do you prefer meetings?

1. Weekdays

2. Week-ends

(f) Please circle the three most preferable months for your organization in terms of general consultation meetings with the Minister.

Jan.	Feb.	Mar.	Apr.
May	June	July	Aug.
Sept.	Oct.	Nov.	Dec.

(g) Could you hear all of the meeting participants?

1. Very well 2. Well

3. Poor 4. Very Poor

(h) Did you experience any trouble seeing the speakers or any of the display materials?

1. Yes

2. No

2. DURATION AND CONTENT

(a) In your estimation was the meeting -

1. Too long

2. Just right

3. Too short

(b) In your estimation was the meeting -

1. Too formal

2. Just right

3. Too informal

(c) What kind of information package would you like mailed to you to help you prepare for future general meetings? (Please specify)

_____

_____

_____

_____

(d) How would you rate the information presented on the Department and its programs?

1. Very good 2. Good

3. Adequate 4. Poor

(e) Do you feel that other Departmental staff should have been at the meeting and, if so, who?

_____

_____

_____

_____

(f) Do you feel that the information provided concerning upcoming topical consultation meetings was clearly stated at this meeting?

1. Very clear 2. Clear

3. Unclear 4. Confusing

(g) Generally speaking was this general consultation meeting of value to you and your organization?

1. High value
2. Valuable
2. Little value
4. No value

(h) Are there other issues which you felt should have been covered at this meeting? If so, please specify.

_____

_____

_____

_____

(i) How would you describe your organization's relationship with the Department?

1. Excellent
2. Good
3. Poor
4. Very poor

(j) Do you have any specific suggestions on improvements the Department can make. Please specify.

_____

_____

_____

_____

(k) (OPTIONAL) Would you please inform us of which organization you were representing at this meeting?

_____

THANK YOU FOR YOUR HELP

DEPARTMENT OF ENVIRONMENT AND WORKPLACE SAFETY AND HEALTH

BUDGET SUMMARY

FOR FISCAL YEAR 1983-84

Organizational Unit	$'s	S.Y.'s
Minister/Deputy Minister's Office	$ 237,400	6.26
Administration	682,900	24.25
Community Relations	117,900	3.00
Environmental Management	7,384,900	161.07
Clean Environment Commission	371,800	6.00
Manitoba Environmental Council	78,000	1.06
Workplace Safety and Health	2,217,200	53.00
Worker Advisor Office	347,400	10.00
TOTALS	$11,437,500	265.12

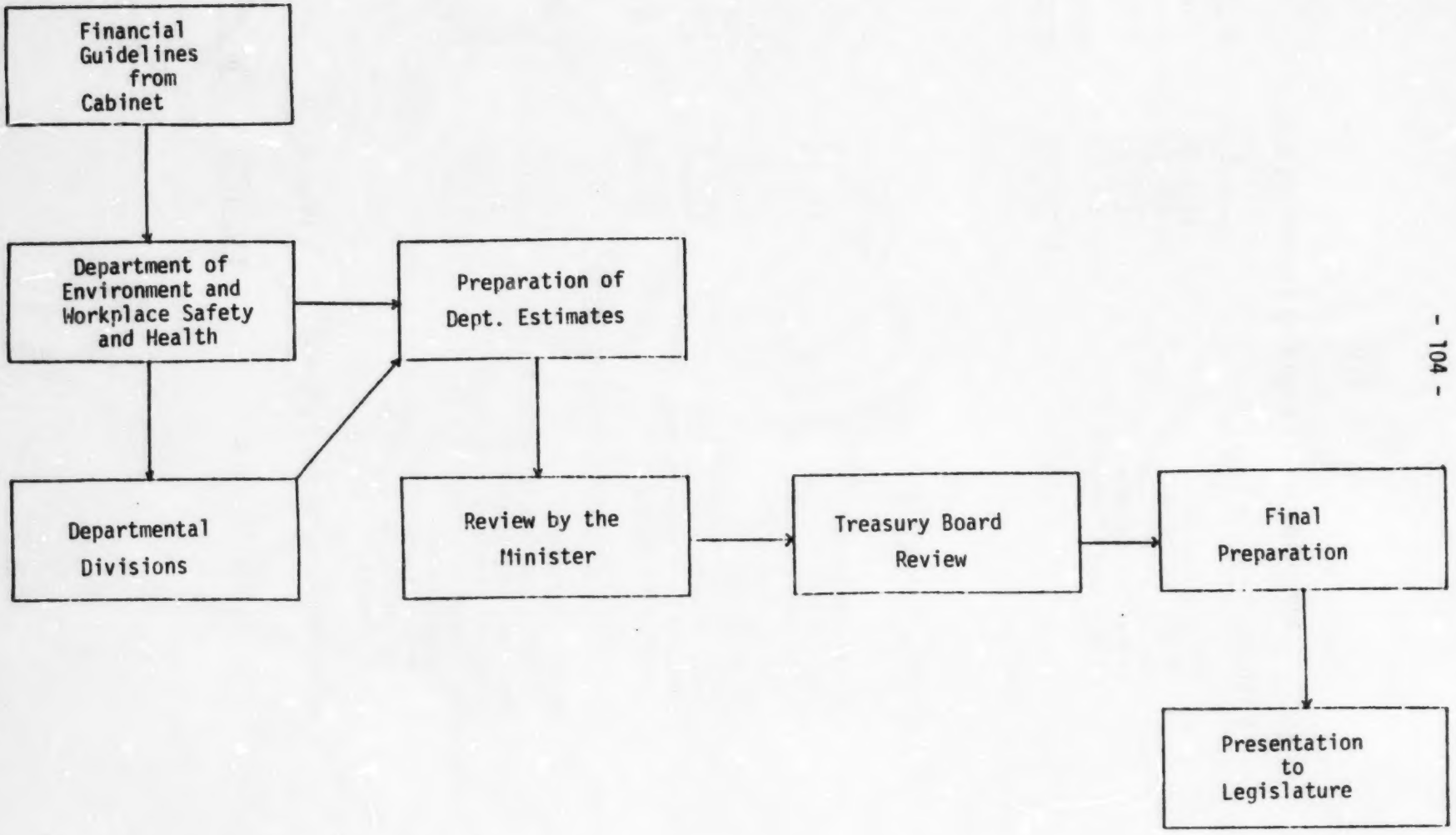
Additional Detail Regarding the 1983-84 Budget*

Workplace Safety and Health	$	S.Y.'s
Administration	$273,900	7.00
Safety and Health	852,500	24.00
Education Services	500,700	11.00
Industrial Hygiene	419,900	9.00
Occupational Medicine	170,200	2.00
TOTAL	$2,217,200	53.00

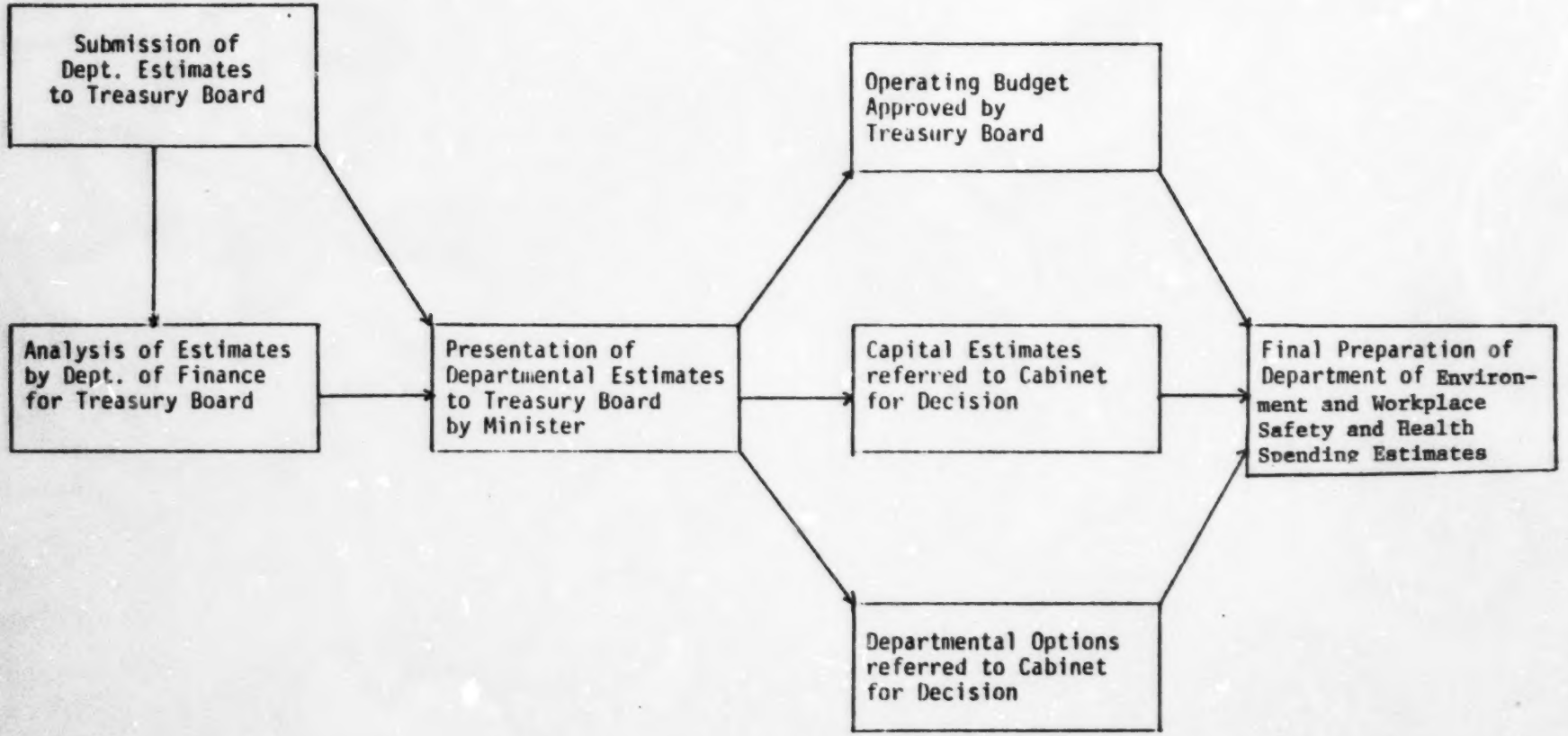
*as of April 1/83

Environmental Control Services Branch	$	S.Y.'s
Branch Management	97,900	2.00
Radiation Protection Agreement	178,300	--
Public Health Inspection Services	1,914,400	51.43
Air Pollution Control	390,200	9.00
Waste Management	445,000	9.00
Water Pollution Control	566,800	13.00
Food Protection Services	424,300	3.00
Manitoba Environmental Assessment and Review Agency	88,400	2.00
Environmental Management Services Branch		
Branch Management	$178,600	4.00
Hazardous and Special Waste Program	320,800	--
Programs, Legislation and Training	139,200	3.00
Technical Services Laboratory	1,342,400	40.00
Environmental Standards & Studies - Supervision - Water Standards & Studies - Air Standards and Studies - Terrestrial Standards & Studies	1,133,600	23.42
Canada/Manitoba Mercury Agreement	165,000	.26
DIVISION TOTAL	$7,384,900	161.07

ESTIMATES PROCESS



TREASURY BOARD REVIEW PROCESS


Submission of Dept. Estimates to Treasury Board
Analysis of Estimates by Dept. of Finance for Treasury Board
Presentation of Departmental Estimates to Treasury Board by Minister
Operating Budget Approved by Treasury Board
Capital Estimates referred to Cabinet for Decision
Departmental Options referred to Cabinet for Decision
Final Preparation of Department of Environment and Workplace Safety and Health Spending Estimates